



OFFICIAL REPORT
AITHISG OIFIGEIL

Local Government, Housing and Planning Committee

Tuesday 25 January 2022

Session 6



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Pàrlamaid na h-Alba

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LOCAL GOVERNMENT, HOUSING AND PLANNING COMMITTEE
3rd Meeting 2022, Session 6

CONVENER

*Ariane Burgess (Highlands and Islands) (Green)

DEPUTY CONVENER

*Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP)

COMMITTEE MEMBERS

*Miles Briggs (Lothian) (Con)

*Willie Coffey (Kilmarnock and Irvine Valley) (SNP)

*Meghan Gallacher (Central Scotland) (Con)

*Mark Griffin (Central Scotland) (Lab)

*Paul McLennan (East Lothian) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Dr Caroline Brown (Heriot-Watt University)

Robbie Calvert (Royal Town Planning Institute Scotland)

Barbara Cummins (Planning Aid for Scotland)

Christina Gaiger (Royal Incorporation of Architects in Scotland)

Professor Cliff Hague (Heriot-Watt University and Cockburn Association)

Ailsa Macfarlane (Built Environment Forum Scotland)

Professor Leigh Sparks (University of Stirling)

Clare Symonds (Planning Democracy)

CLERK TO THE COMMITTEE

Euan Donald

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Local Government, Housing and Planning Committee

Tuesday 25 January 2022

[The Convener opened the meeting at 09:30]

National Planning Framework 4

The Convener (Ariane Burgess): Good morning, and welcome to the third meeting in 2022 of the Local Government, Housing and Planning Committee. I ask all members and witnesses to ensure that their mobile phones are on silent and that all notifications are turned off during the meeting.

The first item on the agenda is evidence on the draft of the fourth national planning framework. This is the second of five evidence sessions that the committee will hold on NPF4. The focus of today's session is on planning, and we will hear from two panels. On 1 February, we will explore issues around housing, and on 8 February, we will look at local government issues. The committee will hear from the minister on 22 February.

I welcome the first panel to the meeting. Robbie Calvert is policy, practice and research officer at the Royal Town Planning Institute Scotland; Clare Symonds is founder and chair of Planning Democracy; Ailsa Macfarlane is director of Built Environment Forum Scotland; Barbara Cummins is vice chair of Planning Aid for Scotland; and Christina Gaiger is president of the Royal Incorporation of Architects in Scotland. Thank you very much for joining us today.

We will move straight to questions. If the witnesses wish to respond or to contribute to the discussion, they should put an R in the chat box to indicate that, please. We tend to have the practice that whoever asks the question directs it to someone to initiate the discussion. However, do not feel that that means that you cannot come in if the question is not directed at you. Put an R in the chat function, and the clerks or I will pick that up.

The draft national planning framework represents a significant shift in national planning policy, with a new focus on issues of place, liveability, wellbeing and emissions reduction. Is the Scottish planning system set up to deliver such outcomes, or are changes needed? If so, what changes would you like to see? I direct that question initially to Robbie Calvert and then to Ailsa Macfarlane.

Robbie Calvert (Royal Town Planning Institute Scotland): I hope that everyone can hear me okay.

We very much support the direction of travel of the framework. Some ambitious and laudable elements are proposed in it, and we hope that it will lift the collective aspirations of what Scotland thinks that planners and planning can provide for a number of outcomes, such as tackling the twin climate and biodiversity crises, achieving inclusive, green economic recovery, and reducing health inequalities across the country. We very much support the inclusion of, and the importance attached to, place-based approaches throughout the framework, and especially embedding the 20-minute neighbourhood concept and having a stronger presumption against out-of-town retail, for example.

Throughout the process, we have very much maintained that success will be in implementation of the framework, not its preparation. I know that a number of stakeholders are keen to see the delivery plan, which will, we understand, be published alongside the final framework in June. We understand that the Scottish Government is working with the Scottish Futures Trust on drafting that, and we hope that the process for engagement with that is as inclusive and collaborative as the entire process has been so far for the draft framework.

We believe that, to support the ambitions in the plan, we need appropriate resourcing in place, so all along we have been advocating the publication of a capital investment plan alongside the final framework. That approach is seen in Ireland—a capital investment plan is published alongside its national planning framework.

We also need to consider the planning system's resource requirements to implement the plan. We welcome the proposed fee increases, but they will not sufficiently address resourcing issues in the planning system. Our research shows that, since 2009, staff numbers have had a cut of a third and budgets have diminished by 42 per cent in real terms. A number of new and unfunded duties are coming through—we see them in the draft framework and they also result from the Planning (Scotland) Act 2019.

Alongside that is the issue of the pipeline of planners, because we think that there will be a demand for an additional 680 planners in the sector over the next 10 years. We need to have enough planners to process applications. To address that, we have called for a comprehensive resource and skills strategy to be published alongside the delivery programme, which would consider the current and predicted capacity issues and the new skills and training requirements that will result from a number of aspects of the

framework, such as lifetime carbon assessments, for which upskilling planners in their climate literacy will be critical. We want a plan to be set out for ensuring that we have a stronger pipeline of planners, which is necessary to implement the framework over the next 10 years. A similar strategy has been promised alongside planning reform in England, where it has been acknowledged that resource is required for delivery.

I will stop there and let someone else come in.

The Convener: Before I bring in Ailsa Macfarlane I will add to my questions. We have a couple of national policies that focus on climate and nature restoration. I would like to get a sense of whether you believe that the goals for climate change and emission reductions in the draft framework are achievable and consistent with other policies that are in it. I ask Ailsa Macfarlane to respond to my first question about whether the planning system is set up to deliver the outcomes and to give her thoughts on the climate emission reductions piece.

Ailsa Macfarlane (Built Environment Forum Scotland): I support much of what Robbie Calvert of the RTPI said about delivery and the planning system. On whether the system is set up to deliver, some things in NPF4 do not necessarily point as strongly towards the green aims as we could hope. Issues that relate to embodied carbon and our existing places are perhaps not fully realised in NPF4, particularly because it does not make clear links to other strategies, such as the heat in buildings strategy.

On delivery, a number of BEFS members have expressed concern that the framework has the opportunity to link to building standards much more clearly than it does, which would be part of how to deliver. Such areas need to work hand in hand rather than be separated.

More generally, the system needs clarity about the hierarchy of policies across the Scottish Government and in the framework. I am aware that weighting is not necessarily intended to apply across the document but, unfortunately, that means that a lot would be left to planning departments. Because clarity is not being given, that could unnecessarily set up an adversarial planning system, which would not benefit our places or our communities.

One of the convener's initial questions was about NPF4 being much more people and community focused. Community engagement and the potential for local place plans to be integrated in the framework are not as fully articulated as they could be.

Does that answer your questions, convener?

The Convener: Thank you, that is great. I can see that Clare Symonds wants to come in, then I will let Robbie Calvert back in.

Clare Symonds (Planning Democracy): Planning Democracy is also a member of BEFS. I want to re-emphasise what Ailsa Macfarlane said—thank you, Ailsa, for your comments on communities. I also agree with Robbie Calvert's point about fees. Our concern about planning being resourced by fees alone is that planning needs more independence; if fees come from the developers, who are the chief customers, that might translate into the priority being seen as assisting developers with making applications or whatever. We need to have separate resourcing allocated for community work, ecologists and so on.

You mentioned the climate and biodiversity emergencies being given priority, convener. We welcome their prominence in the document. We do not underestimate the scale of the change that that heightened emphasis requires. Going from having a narrow focus on delivering the Government's economic strategy to including priorities on planet and nature is great, but changing the default orientation of the system that has long seen development as an intrinsically good thing will take some doing. The training and resourcing for that is crucial.

Given that all built development will generate climate impacts, I emphasise Ailsa Macfarlane's point about the need for strong policy guidance, which also addresses the prevention of non-climate friendly development. We want to scale up the good stuff, such as renewables, but, crucially, we need to scale down the bad stuff. We should not be planning or consenting any new development that will contribute to climate change or the loss of biodiversity unless it is absolutely necessary to meet social needs. I know that that will set up a battleground about how the necessity is defined, and that is where the skills and resourcing need to come in.

I have concerns about one part of the climate policy. Policy 2(c) states that if a development generates significant emissions, it

"should not be supported unless the applicant provides evidence that this ... is the minimum that can be achieved for the development to be viable and it is also demonstrated that the proposed development is in the long-term public interest."

That reflects the tradition of discretionary planning and leaves space for decision makers to justify development that does not meet the required standard. I am not sure what developments that provision is aimed at—is it coal-fired power stations, housing on greenfield sites, space ports or what? Surely the climate emergency is not in the public interest, so what

kind of circumstances are there where the public interest overrides the climate imperative?

We have to be careful that we do not create a new language game on technical definitions around viability. If a development is not viable, does that mean that we do not have to pay attention to the climate? At what point do we want that development? We need clarity on that.

The outcome of that policy clause is that it will generate an industry for viability studies and plenty of employment opportunities for consultants to argue the toss about whether a development is in the public interest, rather than incentivising developers to construct less carbon-intensive developments. The wording needs to be strengthened to make it clear that there is a presumption only in favour of development that is strictly necessary. It would be better to state that development contributes significantly to climate emissions is just not acceptable—or only in very exceptional circumstances.

The Convener: We have lots of questions, so I will go to Christina Gaiger and then Barbara Cummins, who has not spoken yet. If we have time, I will try to bring Robbie Calvert back in. However, I would like to move on.

09:45

Christina Gaiger (Royal Incorporation of Architects in Scotland): We have covered a lot of ground already. I do not want to go back over anything, so I will give a more broad-brush response to the questions.

The construction, operation and maintenance of the built environment account for about 45 per cent of total carbon emissions. We talk about climate emissions policy and whether our goals for that are achievable. The planning framework for Scotland is a spatial one, but it is absolutely critical to align that with getting us to net zero by 2045.

Some key emphases that would help with that alignment are missing from the document. I love statistics: 85 per cent of our existing building stock will still be standing in 2045. How are we addressing that? The document is very light on detail about that, but what we do with those buildings will play a key role in achieving our net zero and emissions goals. That is something to bear in mind.

There is another way to look at this. We can ask whether the set-up is the right one to deliver the outcomes that we want. The planning process is the first statutory stage and is important, but it is only one part of the process. There is a huge opportunity to use the document to define a route map and create targets for industry, which has its head in the sand regarding climate. There is the

potential to effect change within the planning system, which is the first statutory stage. That opportunity to embed the ambition at the first stage sits within the document and could be brought to the fore.

The delivery process for the building industry includes planning, building control, building standards—which are so important—and procurement. Delivery does not happen only at the end, with construction. Delivery is the whole thing, starting with land acquisition. We must join all those dots to ensure that the policies and the framework are set up so that achievable goals run through the whole system. Although this is a spatial plan, there is the potential to grab the opportunity at the first statutory stage and to do so more than the planning framework does at present.

The Convener: I appreciate that perspective. I love statistics, too. You said that 85 per cent of our buildings will still be standing in 2045. I walk around any town or village that I am in wondering how we are going to do this. How will we meet the aims of the heat in buildings strategy? That must be addressed.

Barbara Cummins (Planning Aid for Scotland): Planning Aid for Scotland supports communities to engage in decision making that affects their places. I echo what others have said. There has been a lot of talk about the additional work that will come to planners because of new duties, requirements and policies. This is a statutory plan for the whole of Scotland. Communities will struggle with some of the concepts and the lack of clarity about priorities.

It is important that we build trust in Scotland's planning system. We know, as Clare Symonds said, that developers can be seen as the bad guys. We need development, but it should be the right development in the right place. Planning has always been about achieving balance, and it is important to note the lack of clarity in some of the policies about how that will be implemented.

In her evidence, the chief planner said that local communities can be part of the delivery mechanism. Everything happens in a local place. This may be a national plan, but everything happens locally. We do not want the new requirements to be tick-box assessments. We do not want communities to look at what was said in a written assessment but then not see that happening on the ground. If we ensure that communities are engaged in the process and are involved in what happens, we will build trust. Communities need to know the basis on which decisions are made. If the climate emergency is our top priority, we should be clear about that, so that there is no debate and communities know that that is where we are starting from.

The Convener: Robbie Calvert, do you want to come back in on climate?

Robbie Calvert: I support the comments from Barbara Cummins and Ailsa Macfarlane about the clarity of the language in the document. It is part of the statutory development plan. Planners will have to defend those policies at appeal. Although we appreciate there are complexities inherent in planning, it is still necessary to give clear consideration to and stress test some of the policies in the framework, and provide decision makers with as much certainty and clarity as possible.

I appreciate the point that the Scottish Government made about being too descriptive in the use of definitions, but we still feel that there is an opportunity to provide further guidance and detail on a number of policies.

Regarding net zero ambitions, in policy 19, on green energy, for example, planners are to support development proposals unless the impacts are considered unacceptable. The word “unacceptable” is not defined within the framework, and that could lead to a lot of challenges at appeal and public inquiry.

The Convener: I really appreciate that. That kind of detail that you are giving us—on the use of the word “unacceptable” in policy 19, for example—is very helpful for us, because we need to understand what you need to know and what people in the sector need to have spelled out so that we are all moving together on this in a good way.

I will bring in my colleague Miles Briggs, who has a number of questions for the panel.

Miles Briggs (Lothian) (Con): I want to ask about public involvement, and whether the panel feels that the policies that are set out in NPF4 provide for meaningful public engagement in the development of a plan as well as in developing the management processes. Is there an opportunity for the public to get involved and, if not, what would you like to see change around that? I will bring in Clare Symonds, and if anyone else would like to comment they should put an R in the chat function.

Clare Symonds: The local development plan consultation, which is running at the moment, will set out some of the ways in which the public could get involved.

I concur with what Robbie Calvert was saying about appeals and whether we have a plan-led system. If we are going to get people involved in planning, we need to stick to the planning system, which is policy 1, but that just states what is in the legislation at the moment. We must have more monitoring of policies that go contrary to the local

development plan, and we have to use stricter language about developments that do not comply with the development plan, because for anybody drawing up a local place plan or getting involved in the local development plan, if the decisions that are made are lots of exceptions to that plan, it makes a mockery of public engagement. We really need to ensure that the wording is strict and that we comply more with the plan.

Alongside that, we think that the right of communities to appeal any decision that goes contrary to the development plan is a good incentive, and we ask for that to be included in the planning legislation. I know that it is not within the gift of the committee to introduce that through the national planning framework, but if developers are going to stick with the plans, they need incentives.

Barbara Cummins: It is notoriously difficult to get lots of local people involved in the development plan process. The further away it feels from people, the harder it is. At the national level, these concepts are not real to people. It is only when things start to happen on the ground that they become real, and then people get engaged and they realise that they have missed an opportunity. That is why the local place plans will be key because they give communities a route to influence the plans that are made above them.

The chief planner talked about flexibility within the system to allow things to change so that local communities are actively influencing what is happening—not just things in their local area but also those things that might affect them more broadly, such as a local development plan that is out of sync with the local place plan.

It is important that NPF4 supports and recognises that process. It was encouraging to hear the chief planner talk about that because it is not explicit in NPF4, although it is implicit and the legislation is in place. We need clarity in NPF4, because local communities will look at that and how it influences the plans that they create.

Miles Briggs: The committee has received several written submissions expressing concern about possible inconsistencies between the national spatial strategy and national planning policies, which we have already touched on. We know what the policies look like, but language is sometimes a barrier. Different words can mean different things to planners and so change the emphasis. Does the panel have any suggestions of ways to rectify those issues that have been put to us? How can we make sure that local councils and the national planning strategy match up in delivering what we want to see from NPF4? I will bring in Robbie Calvert, who touched on some of that earlier, and anyone else who wants to comment.

Robbie Calvert: As we said in our response, more consideration needs to be given to the read-across of the document. You referred to the spatial strategy, which is part 1 of NPF4, and includes some important concepts such as compact growth and balanced development. However, those do not really pull through into the rest of the document, including the policy section in part 3. As a starting point, the spatial priorities that are set out in part 1 should have clear pull through into part 3. That would make the lives of planners and communities a lot easier when they are looking at the document. That would reduce potential conflicts between policies, although with an understanding that there is inherent complexity in every planning application.

As an example, policy 19 on delivering renewables appears to be more permissive, but policy 32 potentially indicates a less permissive policy environment for onshore wind with reference to some of the areas of wild land. There is quite a lot of conflict and contradiction throughout the plan. Clear understanding of the read-across of various elements will be important to its success.

Miles Briggs: Did Ailsa Macfarlane want to come in on that question?

The Convener: You are on, Ailsa—oh, there is no audio yet. It is not you; broadcasting handles everything.

Ailsa Macfarlane: I pressed the button. I hope that you can hear me now.

I agree with what Robbie Calvert said about the read-across between different parts of the document. I will pick up on a few points of detail that were mentioned. Throughout the document, the historic and existing environment is not referenced fully where it could be. That brings in many of the things that we have been discussing about various policies and the ability to meet net zero. However, policy 6, on the qualities of successful places, addresses the issue, and mentions adaptability and the need to maintain our places over time. However, that is more than a quality of successful places—maintaining our places so that we can re-use and repurpose assets is fundamental. Those qualities are mentioned in the document, but they are not made as fundamental as they might be.

Going back to the interconnectedness of various things, infrastructure is first mentioned in policy 8. However, the Infrastructure Commission report specifically mentioned that our existing housing is part of infrastructure and that enhancing and maintaining existing assets ahead of new builds was one of its principles. The document almost purposefully manages to skip over our housing and homes being part of infrastructure, which

means that some of the principles do not tie in as well as they should. Long-term stewardship and effective management and maintenance plans are referenced in relation to blue and green infrastructure, but not in relation to other developments. As Christina Gaiger mentioned, 85 per cent of the built environment will still exist in 2045, so we should build with integrated plans for maintenance and stewardship.

10:00

Mr Briggs asked about community involvement. From the historic environment perspective, there are a number of documents that, if they were represented in NPF4, would help local places and the authorities that deal with those places to better represent them. Historic environment records and “Planning Advice Note 2/2011: Planning and Archaeology” are missing from the draft framework. It is not only that the historic environment policy for Scotland is not clearly referenced in the document, but that the historic environment records and the planning advice note offer a better understanding of protections for our non-designated assets, which are around 95 per cent of our existing historic environments. They provide a wider understanding of communities’ place and appreciation of the historic environment rather than necessarily focusing on designated assets, which are also extremely important. Referencing those documents would enable NPF4 to have that balance.

The Convener: I see that everybody wants in on this one.

Barbara Cummins: I will take a slightly different tack. We are reading the document as a linear document, but lots of people have said that it should be read it as a whole to balance all the parts. There will always be a degree of conflict because, for example, we like wind farms, but we do not like one in a particular place.

We can use digital technology to support how everything hangs together. It cannot be beyond the wit of man to have lots of links and connections so that if somebody does not understand what they are reading, they can click on a link and get a definition or a read-through to the document that is referred to or to other policies. The Scottish Government invests a lot of money in digital technology. NPF4 could look very different and it could help people to navigate that complexity and read the document in a more rounded way, so that the reader is not just going from page 1 to page whatever, but is travelling around the system and educating themselves about what is required.

The Convener: Thank you for that perspective.

Robbie Calvert: I support Barbara's point on digital technology. We were disappointed not to see a reference to the Scottish Government's digital planning strategy in the deliveries section of the draft plan.

I will build on my point about how we can support planners to implement the plan. A lot of that is to do with the complementarity that the plan has with other plans and strategies. The devil is in the detail, but some of the detail exists elsewhere and some of that is out of date. We identified a number of plans, strategies and national policy statements that we consider to be out of date: "Scotland's National Marine Plan" is from 2015, the "Designing Streets" guidance is from 2010, "Creating Places: A policy statement on architecture and place for Scotland" is from 2013, "Development Planning and Management Transport Appraisal Guidance" is from 2011 and "Town Centre and Retailing Methodologies" is from 2007. Those were not produced in the same policy context that we are in now, given the twin climate and biodiversity crises. They need to be updated to strengthen the plan and support planners to deliver it.

The Convener: We have a lot of work cut out for us.

Christina Gaiger: To go back to Barbara Cummins's point, that strong thread that is needed throughout everything will help with any confusion. We need clarity in the documentation that exists across the board, from historic assets to green energy—there should be links to all that so that we can see the bigger picture. That is a big part of it.

After all, the document covers a huge amount of ground, and because not everything can sit in one place, we need a hierarchy. However, with any hierarchy, something needs to have sufficient weight, and there needs to be some sort of primacy amongst these policies to help people understand where the priorities themselves lie. That is a key thing in being able to read the document.

Alongside that, I note that the word "quality" is mentioned with regard to a few of the policies. What is "quality"? What does it look like? There could be examples of best practice to learn from as the long-term strategy is rolled out. Is there any slight flexibility in it? Can it be updated to guide people according to that best practice? What is the post-occupancy evaluation, for example? Why is something best practice? If we take that approach, it might provide a level of explanation to support anyone who has any queries or is confused about something. That sort of thing could be added to over time.

Again, having a strong thread of digital support to ensure that everything hangs together is key,

but it all comes back to the question: what are the important principles here? What should take primacy? It is really important that that aspect runs throughout all this.

Clare Symonds: Going back to the issue of the primacy of policies, policies in the round and how we decide which ones are more important, I feel that the housing land policies have been developed in a bit of a climate vacuum. Land is a limited resource, and if you care about limited resources, you need to be efficient. It is therefore crucial that we build new housing as efficiently as possible. I was pleased to hear other people's comments about existing buildings and looking at that resource to deal with our housing crisis.

At the moment, housing is being delivered in a very inefficient way and relies on a really generous allocation of land to meet the targets. That sort of approach does not allow us to target where the infrastructure goes. We have talked about targeting the infrastructure first, but how can you do so with the generous land allowances suggested in the annexes to the document? The generosity of the minimum all-tenure housing land requirement will not encourage efficient delivery. By the time people move into a new-build house, more than half of the building's lifetime emissions have already been emitted, so we need to think about all of that in climate terms.

I just want to return to the issue highlighted in the evidence last week about the use of "should" or "must" in these policies. The witnesses said that the word "must" is used where there is a statutory requirement, and that the word "should" tends to be used in relation to a policy or practice. Indeed, the matter has come up an awful lot when we have talked to communities, and it relates to the need to provide clarity. In that respect, the comment on why the planning officials have chosen that language was useful, but they need to follow through on that. For example, the climate and biodiversity policies contain a lot of shoulds, but there are legislative duties in both, including the duty on every public body and office holder to further the conservation of biodiversity when exercising their functions under the Nature Conservation (Scotland) Act 2004. That implies that the word "must" should be used in the document. That sort of thing confuses people, and the language probably needs to be tightened up a bit.

The Convener: Do you have any more questions, Miles?

Miles Briggs: I think that all of my questions have been covered, convener, so I am happy for you to move on.

The Convener: In that case, we will move to questions from Mark Griffin.

Mark Griffin (Central Scotland) (Lab): Good morning. I want to come back to the point that Robbie Calvert made in his response to the opening question about a funding document to support some of the aims and principles in NPF4. Some submissions have suggested that, in order for some of these things to be realised, the document should be supplemented with a capital investment programme. I will start with Robbie Calvert, and then perhaps the rest of the panel can say whether they support such an inclusion and see it as necessary.

Robbie Calvert: Absolutely. That is relevant to the delivery of a lot of the intentions that are in the plan, including the national developments, and where the money will come from for those. For example, the infrastructure investment plan contained only three of the national developments, and none is mentioned in the programme for government, so we are concerned about where the investment will come from to help to deliver those things. From that perspective, a capital investment programme would be useful. I agree absolutely that it is necessary to understand what kind of resource will be required by the planning system in order to deliver the intentions of the framework and other things that were introduced in the Planning (Scotland) Act 2019, such as local place plans.

Going back to the question about community engagement, there is a strong policy steer for that, under policy 4; however, quality community engagement is resource intensive and unless planning departments get the resource that they require it will not be undertaken to the level that it could be.

We would therefore entirely support a capital investment programme that looked at resourcing in the round for the capacity and the skills that are required, and for bringing on enough planners to process those planning applications when they come through the system.

Clare Symonds: I will talk about public-led planning. I talked about land being a limited resource and about targeting housing in the right places. Public-led planning is the way to go on that. As the Scottish Land Commission and others have stated, the challenge in achieving our affordable housing aims is to move away from a market-led system to a more public interest-led model of housing development. That is mentioned only as a footnote in the section on delivery, but it is absolutely crucial, as is the proper funding of it. I think that about £300 million has already been given to affordable housing but, if affordable housing is to be delivered, we need to do that through a public-led planning mechanism that is adequately funded.

The Convener: I am sorry to jump in, but I have a supplementary question on that.

Both witnesses have mentioned community investment. Yesterday, we were with a group called Celebrate Kilmarnock, taking evidence and learning a lot about its experience. There was a request for local authority processes to be improved in a way that accommodates community involvement. For example, there is consultation fatigue, because people get really involved, engaged and excited and then it takes quite a long time for the results to come through. How can we improve the community process in local authorities?

Clare Symonds: What we need is a structure and culture of community engagement. The local governance review that is coming up might be able to assist in setting a framework and culture in which people are better involved.

In our written submission, we suggested public interest panels as a way of involving people in planning decisions through deliberative and meaningful debate. That makes a change from doing vast amounts of written consultations, because not everybody has the capacity for those. Just look at what people are expected to read for the national planning framework. If you are a busy nurse, for example, how will you find the time for that?

10:15

There is a nurse who has come to us for advice who has four applications for housing developments to get through. They are being changed again and again and she has written to us asking whether she has to comment again. It is incredibly time consuming and you do not know what is going to change because there is no guarantee. To boot, you will be labelled as a nimby. We have to get rid of that culture.

Talking about community wealth building, what about the public community partnerships that could be developed and could use the community wealth building model to deliver better housing? The community wealth building section of NPF4 could be developed a lot more. It is a little bit minimal, but I understand that it is evolving. It could be exciting if the willingness exists to work with communities rather than just see them as people who have to respond to consultations.

Barbara Cummins: Part of the key work of PAS is to support communities in community-led plans. We have been involved in many different ranges of plans. Some of them have been focused on areas such as active travel and some have been broader. It takes a lot of effort to build community understanding of what is possible and the system connecting communities to people. They get a lot

of local authority support in that. Local authorities want to help communities but it comes down to resources.

As was said in previous evidence sessions, there is a need to join things together. Community involvement is not just a planning thing: it is planning, housing, transport and environmental health—all the parts of a local authority. All parts of the Scottish Government and local government need to see it as their responsibility to support the delivery of the place-based approach that is in NPF4.

I take Clare Symonds's point about consultation fatigue. However, when things start to happen on the ground, it makes a real difference. For example, we were involved in the Applecross community land use plan. That community is starting to see things happen, including the provision of sites for affordable housing, which gives the impetus for it to continue to be involved. When something is simply a piece of paper that does nothing we will get frustration, a lack of engagement and the falling off of trust.

The Convener: I know all about the Applecross plan. It is fantastic.

Christina Gaiger: We strongly support the strengthening of the regulatory role of planning and the idea that the capital investment programme and funding should be set to achieve well-informed decisions. We look for that outcome to support a thorough process.

There is great work happening on community involvement but we must be clear that the majority of stuff that is built makes assumptions about how people want to live and want to use the space. It is important to make community involvement as inclusive and empowering as it can be. That is about ensuring that the communities are supported in access to professionals. Providing sufficient guidance is key to that. RIAS members are well placed to do that. Many members are already involved in that level of engagement, which is fantastic, but we need to make it mainstream.

Community involvement also helps with the fatigue that can occur when people go to a lot of meetings and do not see a lot of progress. If the process can be more inclusive and communities can see even incremental advancement of things that they want, whether it is a planter or a slight change to infrastructure or active travel—it does not necessarily have to be a big new housing development—all those things add up.

We need to support the system at both ends. When we consider the capital investment programme, we need not only to think about the planning aspect but to take it right down to grass roots as well.

The Convener: Mark Griffin has another question to ask. In the interests of time, I will be a little bit more—[*Inaudible.*] Perhaps we could have just a couple of people answer the questions unless there is something burning that we absolutely need to hear.

Mark Griffin: Thanks, convener. We are talking about investment and implementation of the strategy, policies and housing targets. NPF4 will be in place for 10 years; a five-year national planning framework has been the normal practice. In that context, how can implementation and delivery best be monitored and reviewed in that decade-long plan?

The Convener: Does anybody want to answer that question about monitoring and reviewing?

Robbie Calvert: We will see how the monitoring programme forms—I am assuming that it will be published alongside the delivery plan. I know that there are provisions in the Planning (Scotland) Act 2019 to make amendments to NPF4, and provisions in local development plan regulations for when significant change occurs. There is room to review things such as housing numbers if there is a big shock to the system, but the issue is always the balance between flexibility and certainty.

On ensuring that there is a 10-year housing land supply, mechanisms are in place throughout the plan to identify short-term, medium-term and long-term housing land supply. I think that the right checks and balances are in place for various scenarios in the future.

Christina Gaiger: I want to pull in the community aspect, as well. The 10-year delivery is to ensure that the feedback loops are not necessarily financial, but are spread across life-cycle assessments, post-occupancy evaluations and understanding of space using different metrics from finance, housing numbers and so on. That is to ensure that there is a holistic approach. That feedback might need flexibility in the document because some things might not be successful—they might not roll out in the way that is described. People being tied to the plan for the long term means that such flexibility is needed. As Robbie Calvert said, the issue is the balance of flexibility versus long-term planning. It is about ensuring that there is a spread across a range of metrics.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): Before I ask my questions, I refer everybody to my entry in the register of members' interests. I am still a serving councillor on East Ayrshire Council.

I direct my first question to Robbie Calvert, because he was the first person to mention the issue this morning, although it has since been mentioned several times. Written submissions

have raised concerns about the wording of national planning policy. We can think about things that have already been mentioned, including 20-minute neighbourhoods, community wealth building, carbon emissions and human rights. I brought up the issue with the chief planner last week, and I want to explore it. Is the wording insufficiently clear for decision-making purposes? How can it be improved? We have already heard this morning that it could lead to appeals and a very interpretation-based system. Do you have any suggestions and concrete thinking on how the wording could be improved?

Robbie Calvert: I am happy to answer on community wealth building and human rights policies. The issue is quite difficult in terms of community wealth building. I have been a development management planner. As part of the statutory development plan, decisions will have to be made in accordance with the policies within the framework. When I first read it, I thought, "If I get an application, how can I make a decision that is based on what is in the policy?" I struggled with that policy. It refers to having to ensure that applications are in accordance with the community wealth building objectives, but those objectives are not set out anywhere. From digging around a little in the online literature, I managed to find some principles behind community wealth building, but it was quite difficult to see how I could assess a planning application based on some of them, even though the intention is laudable.

For example, it might be quite difficult to decide on an application based on the grounds of fair employment and just labour markets. In our response, we say that that policy needs to be more about aligning local development planning with the community wealth building strategies that local authorities are to produce. That would be a more effective way of lining things up than having development management planners make decisions on those grounds.

Policy 4, which is the human rights policy, might also get complicated, given other legislative regimes, including the Human Rights Act 1998 and the public sector equality duty in the Equality Act 2010. We have asked for additional guidance on the matter to help to make life easier for development management planners.

Elena Whitham: That is great; thank you very much for that.

My next question is for Christina Gaiger, because she has already raised the issue. I want to explore the tension relating to use of existing buildings and places—in particular, the need to protect the historic built environment while also allowing the adaptations that are necessary in order to reduce carbon emissions. Does the draft

NPF4 pay sufficient attention to the tension between the two competing issues?

Christina Gaiger: That is a difficult question to answer because it is a difficult problem. It is also about what "heritage" means. Our heritage stock and listed buildings stock are often separated from our existing buildings, as is the contribution that they make to our communities and the contribution that they would make to our carbon emissions if they were to be demolished, for example. There is often a real split between the approaches to heritage and existing buildings. Of course, there are differences, but it is important that the quality aspects, or the focus that is given to each category, be made more tangible. Our existing buildings stock could have huge value to the community; heritage buildings contribute more to that. It is about understanding how all existing buildings work.

On the tension between protection and adaptation that you mention, our difficulty is that every building is different, as is how it needs to be approached and what the community feels about the building. That nuanced building-by-building approach becomes complex when we have a document like the draft NPF4, which is trying to set out overarching principles. It comes down to the thread that runs through the documentation on how everything is assessed, and how links provide for buildings to be looked at on an individual basis, if that is required. Ailsa Macfarlane mentioned a lot of documents that would, if they were linked to NPF4 in respect of heritage buildings, help to support that.

I am happy to go into further detail on that if you wish, but we will make a detailed submission later, in which we will go into all those nuances. Ailsa might want to speak a bit more about that.

The tensions around adaptation exist across existing buildings and heritage buildings. The matter should be considered on a building-by-building basis, which is generally very tricky. Adaptation of existing buildings is absolutely key: the standard has been set in relation to net zero emissions, but existing buildings and heritage buildings cannot achieve that standard with a technology-based approach; it needs to be a fabric-based approach. How do we address that? How do we take that forward? How do we embrace that challenge? It is quite a scary thing to do.

The difficulty with heritage buildings is that adaptation needs to be done very carefully and on a building-by-building basis, which is on a very different scale to what we are talking about in relation to the policies under NPF4. That is the tension. However, the structure and opportunity exist throughout the hierarchy to join the dots with

policies that already exist or which might need to be slightly changed to support NPF4.

Elena Whitham: Thank you for that. I see that Ailsa Macfarlane and Clare Symonds would like to come in. We are only halfway through our questions, so if you could make only additional comments that would be great.

10:30

Ailsa Macfarlane: I will be very brief. As I have mentioned, our homes and housing are part of essential infrastructure. If they are viewed that way from a policy perspective, then maintenance and a fabric-first approach can be taken through the policy.

On heritage, the BEFS supports appropriate adaptation on a case-by-case basis. Guidance on managing change in the historic environment from Historic Environment Scotland, when it is appropriately referenced, helps to ensure that changes can be appropriate and help to meet the net zero ambition.

I have a final, specific point to make on policy 28(d). Policy 28(d) appears to say, to put it colloquially, “No, and”; we have suggested that the nuance of the language should be that it says “Yes, but”. In other words, it should be a case of saying, “Yes, you can appropriately adapt and change within the historic environment and our existing buildings to help to meet housing needs, local need and community needs.” There are appropriate considerations to be taken into account, but the buildings are there to be used; they are a resource that we need to harness.

Elena Whitham: Thank you. That is a really interesting point that we need to take on board. Clare, do you have any thoughts on that?

Clare Symonds: What I was going to say has been covered.

Elena Whitham: Thank you—although I will come straight back to you, because my last question is for you. My question is on the minimum all-tenure housing land requirement as set out in the draft NPF 4, which is there to support a consistent and more simple and transparent planning system for housing. I know that Planning Democracy has already submitted thoughts on that; we have also touched on it this morning. Do we need to make changes in order to achieve the aims of simplicity, consistency and transparency in housing land requirement? I would welcome your thoughts on that.

Clare Symonds: We have covered the MATHLR quite a lot. It is interesting that so many communities have come to us about housing and the amount of land that is being used for it, but it has been difficult for us to get our heads around

the technicalities. However, we have managed to do it. We have looked at how the MATHLR has been calculated; it is a multistage process that has been done with local authorities—and rightly so.

The initial figures have been taken from the housing need and demand assessment and the household projections that have been estimated by National Records for Scotland, so people also need to be aware of that. The HNDA process is supposed to be factual, but it is clearly influenced by the data that is used in the subsequent policy and political aspirations that are applied to it. The National Records for Scotland population projections rely on past trends. The data is only as good as the latest situation; for example, we do not know about the effects of Brexit and Covid on the latest population figures.

We have all the initial data, then there are several uplifts, which we have to find out about from the various annexes in the technical consultation on housing allocation. The uplifts are given where local authorities have argued that they have greater housing need—perhaps because there is a homelessness issue—which is fair enough. For example, Aberdeen City Council has used a high-migration scenario; it is saying that it expects lots of people to move to Aberdeen city, so it has asked for its allocation to be increased. It is asked that negative population projections be zeroed. When people move out of a city, that is not calculated—the figures always have an upwards lift.

We do not know too much about the demand side of the calculations—that is, whether they take into account the demand that is created by second homes and short-term lets. The situation is complex. What is perhaps not immediately obvious is that all the figures are uplifts and that, on top of the uplifts, there is an added 25 per cent or 30 per cent flexibility allowance. We cannot find any justification for why that is the amount. Cairngorms National Park Authority asked for 10 per cent flexibility. It wants less flexibility because much of the land in the park is of European and national importance for nature conservation, and most housing sites would have an impact on that, and because the demand for second homes and short-term lets means that a lot of people in the park area would not be living in the houses that are being built. However, it still got an uplift of 30 per cent.

I have just explained why, in our submission, we state that we find the contingency figure to be quite astonishingly high for what is considered to be a minimum all-tenure housing land requirement. If there is one thing that we would like to see being questioned, it is why is the figure is so big. As far as we can see, it is simply to pander to the needs of the private sector

housebuilding business models and to allow for their inbuilt inefficiencies. It will not help us to fulfil the legal obligation to set targets for housing land requirements. We can do that without adding a massively generous figure. The only justification that we can see is that the system is kowtowing to pressure from the house builders, who want to be allowed to continue with their inefficient processes.

One of the problems that we have with policy 9(a) is that it implies that the MATHLR is the housing target. Local authorities are always going to be on the back foot and will face continued pressure to release more land because the targets are too big to fulfil straight away. We think that that will lead to problems with planning appeals, and that we will end up in the same situation as we are in now, with developers appealing decisions because of unmet targets.

Elena Whitham: I do not want to cut you off, but I can see that Robbie Calvert would like to come in. Robbie, would you like to give us some brief thoughts?

Robbie Calvert: I will be brief, even though this is a complicated matter. We are broadly supportive of the approach that has been taken by the Scottish Government for national targets. We hope that it moves the conversation on to methods of assessing deliverability of sites and mechanisms to review housing land supply, as well as—which is most important—how we deliver high-quality developments.

I want to flag up the fact that, as Clare Symonds has discussed, local authorities have been revising targets. In many cases, they have been revising them upwards. That is an extremely resource-intensive process, so we believe that the Scottish Government's digital planning task force should address data collection in that area, as a matter of priority.

Elena Whitham: That is interesting. The local authority in my area revised its numbers upwards, which was to do with Covid in-migration. Flexibility must be looked at in relation to all such issues.

The Convener: We have a few more questions from members, and about 20 minutes left in the session, so we should manage if we can all keep to the point.

Paul McLennan (East Lothian) (SNP): I refer everyone to my entry in the register of members' interests, which states that I am a serving councillor on East Lothian Council.

We have heard a few people talking this morning about the resource implications for planning authorities. As colleagues have said, we were speaking to Celebrate Kilmarnock yesterday, and one of the things that came up in that discussion was resources for local groups that

want to develop their ideas. The question is one of capacity building.

Perhaps Clare Symonds can respond to my first question, followed by Barbara Cummins. NPF4 might include policies to help communities and groups, but if they do not have the resources to implement the policies, we will get nowhere. What are the witnesses' views on that?

Clare Symonds: Bearing in mind that I have just been going on something rotten about the targets, I will keep my answer short. Without a doubt, local groups need resourcing, but it is also about listening, and being willing and open. We need a culture change, along with the resourcing. As I said earlier, we as a society need to put in place the structures to enable more deliberative democracy. Where are the databases? Who do you ask if you are talking to a community?

Paul McLennan: Barbara, do you want to touch on that with regard to the work that you do?

Barbara Cummins: Yes. We have been involved with a lot of communities, urban and rural, across Scotland, and we have found that the big issue is time. It takes time to build capacity and to train locals, and also to train local authority staff to engage effectively with local people, because that has not previously been part of their core work. A large amount of upskilling is required among professionals and communities to enable effective engagement in the processes.

However, that is not to underplay other aspects. If someone lives in a place, they know it well—they know what the problems, and the good things, are. Communities are not stupid, and we do not need to patronise them. They can decide for themselves. In the past, many communities have come to us with very specific asks for what they need. Not every community will need their hand held to the same extent; some are very much able to go off and do their own thing.

Some of the support will be required at the local authority stage, when a community has developed a plan. Everybody in the local authority, including councillors and staff, needs to adopt the plan to give it traction in the system. Again, digital investment could support some of that by showing others what can be done. If someone goes on to the web looking for plans, they can use Google to find a plethora of websites. The Scottish Government could really help people to navigate that landscape. People can look at a local place plan that somebody else has produced to get an idea of what can be done. There will be a variety of different models. There are ways in which we can share good practice and give people the tools to develop their own places.

Paul McLennan: I know that Christina Gaiger wants to come in, but I have one more question for

Barbara Cummins. More local authorities are looking at their LDP process on the back of NPF4. My own local authority undertakes good community consultation in that regard. What are the satisfaction levels in respect of how other local authorities engage with the LDP process in particular? That engagement is incredibly important. Is that element being looked at quite well across Scotland, or is there a mixed or unbalanced picture?

Barbara Cummins: It varies. Some communities are very engaged and will influence their local development plan. That is particularly true in rural areas. It can be hard for city-based authorities to engage with communities that might be more transient, or that have a high student population. There might not be a range of engagement, and younger people might not be involved in local development plans. We are, after all, planning for the next generation, but that type of engagement can be challenging.

Local authorities try all sorts of innovative approaches. I know of people who have gone to music festivals, supermarkets and other venues to try to engage young people in the process. It is difficult because, as I say, we are talking about an abstract concept. Until somebody puts in a planning application for your backyard, it is not real. We need to educate people about how important the process is.

Christina Gaiger: To pick up on Barbara Cummins's comment, the unheard voices in communities are key in consultations. Engagement with communities can be good, but the process is often not as inclusive as it could be. We have an opportunity through NPF4 to reach those unheard voices and communities that perhaps do not have the necessary skills or do not feel that they will benefit from something that feels very removed from them, to make the process real for them and to build the trust that Barbara Cummins talked about earlier.

10:45

A big part of that is having easy and transparent access to information. The Our Place website, which has just been launched, is a good start in that respect. However, this is all about having ownership of place, and programmes across Scotland are embedding that trust and belief in one's community. We need to put these things on a platform and show how they represent a shift in approach. I had never heard the festivals idea before, but we certainly need to try various things. I just want to reinforce the importance of reaching those unheard voices and building support for these things from the ground up as well as from the policy down.

Paul McLennan: That is certainly vital. Perhaps Clare Symonds can respond before I move on to my other question.

Clare Symonds: This is a 10-year plan, so if you are not engaged at the beginning, you will miss out over the next few years. As a result, the reviews will be very important.

As for schedule 4s and development plan schemes, people get very confused about these things. They ask, "Why are all my views going into this so-called schedule 4 package? What is the DPEA? Is that another organisation that I've got to engage with?" After all, the development plan scheme is just a timetable. Why do we have to use all this complicated language? It might seem like a small point, but I think that it is crucial.

Paul McLennan: My next question is for Robbie Calvert, and then perhaps for the other witnesses. Some concern has been expressed about timescales for consulting on the draft NPF4, and I note that the Parliament and the Scottish Government are running concurrent consultations. Do you have any concerns about that? Are there any implications for stakeholders involved in the process?

Robbie Calvert: This is a particularly difficult time, because we are all struggling with capacity issues. Some parts of the planning legislation are being implemented, there are the open space strategies, and the developing with nature guidance is also being consulted on. The consultation on the draft local development plan regulations has been put out, and we also have the onshore wind policy statement and the work that is going on in other committees. There is a lot going on, and the situation with regard to our capacity—and, I am sure, that of many other stakeholders—is very difficult. I would therefore agree with what you have suggested in your question.

Paul McLennan: Is there a danger that, with all these studies and consultations going out together, there is no coherent strategy behind it all? Some policies could, for example, have an impact on others. Do we need to stand back a little bit, look at what needs to be done—and at what time it needs to be done—and see what the impact might be on other consultations? Is there any impact in that respect, or is it just a resource issue?

Robbie Calvert: It is inevitable that this will happen a little bit, and there is definitely an issue with timing and synchronicity with regard to different plans and strategies. When, for example, is the infrastructure investment plan due for renewal? After all, that will be a pretty important document in setting out the investment required for the things in the draft NPF4.

It is certainly an issue, and I recommend that the committee makes some space in its diary for scrutinising, for example, the draft local development plan regulations. They are a pretty crucial part of the puzzle, and a lot that would be in the NPF or in Scottish planning policy might be moved into them, so they need to be read alongside each other and consulted on simultaneously. However, that will certainly give rise to capacity issues for us as well as many other stakeholders.

Paul McLennan: Does anyone else want to come in?

Clare Symonds: In our written submission, we have highlighted the simultaneous nature of parliamentary scrutiny and the public consultation process, which finishes on 31 March. I do not know how you as a committee feel about that—it is your scrutiny process, after all—but you are scrutinising a draft document rather than the finished article. With NPF3, you would have been scrutinising the final thing. We have raised a concern about that and about how you will take into account public comments on that draft document.

Willie Coffey (Kilmarnock and Irvine Valley) (SNP): The issue of resourcing has been mentioned a couple of times. I will pick on Robbie Calvert, as he mentioned it. Yesterday, we had an online visit to Kilmarnock and heard from local officials and colleagues in the Celebrate Kilmarnock team who have been doing great work down there to create new public spaces for the community to enjoy. Many of those achievements are the sort of thing that are contained in NPF4, although obviously it is not finalised. They were achieved through town centre regeneration funding and some common good money, for example.

I just want to make the point that, alongside a document such as NPF4, we do not always need to have a huge great capital investment programme. As has been demonstrated in Kilmarnock, some things can be achieved through other means. Do you recognise that local authorities and communities have other means at their disposal to deliver such achievements?

Robbie Calvert: I absolutely agree with that. Lots of great work is being undertaken, and has been undertaken for many years now. That goes back to my point about complementarity. In our written submission, we said that we want to ensure that clear links are made to existing funding packages, such as city region deals and funding for town centre transformation plans. Also, the national economic transformation strategy will be a particularly important document, so I want to see how that is clearly aligned with the draft NPF4. Planners can very much be the regulatory catalyst

for various funding streams and can pull them together to intervene in a place-based sense.

As others have said, it is good to see the inclusion of the place principle, which will be critical to improving places. Planning is important, but many other parts of local authorities also have a part to play. However, we have said that there needs to be transparency on how the place principle affects the decision-making process, and it needs to be enforceable. In order to secure the place-based approach to directing investment, we imagine something along the lines of the “town centre first” principle, which is an enforceable method of decision making in local government.

Willie Coffey: During yesterday’s discussion, we also heard about the difficulties that towns such as Kilmarnock—or just about any town in Scotland, really—have in dealing with empty or derelict shops and buildings and abandoned pieces of land in the urban setting. I direct this question to Barbara Cummins. Many of those buildings and shops are in private ownership. My constituents ask me why public money should be spent on rescuing properties that blight our town centres, many of them having been deliberately left in a near-abandoned and ruined state. If we are serious about the NPF4 allowing us to turn that around, the private sector needs to have a role in making a contribution to the strategy. Do you recognise that point and do you agree with it?

Barbara Cummins: Absolutely. A little bit of carrot and stick is required. If it is all stick, that is no good. There is always a call for enforcement, notices and things like that, but that just gets people’s backs up. In previous work, I have seen that we need to engage with the community on the influence that they can have on their place. That also means the business community; we sometimes forget about that and focus on residents. For example, in my previous job, we provided support to Campbeltown for the town centre scheme. Grants were given to people to do up buildings, and of course those people were the willing few, but when other people saw what was happening and how the approach was improving footfall and the look of buildings, they also started to take action.

The carrot element is needed. If we can make some things happen on the ground, we start to see a groundswell and people are encouraged to see what they have as an asset rather than a liability. That is critical, because if it is just about dereliction it is all negative. We have to turn that into a positive and make our town centres more flexible by allowing people to do things with them.

Willie Coffey: How do we reach out to the private sector and get it on board with plans? I do not think that people in the private sector are sitting reading NPF4. How do we get them around

the table, and how do we get them to make a contribution?

Barbara Cummins: There are lots of forums through which businesses are involved with their towns. We need to take more of a team Scotland approach to planning. Planning is not just what planners do: it all happens in a place, so it is about engaging business and community organisations, as well as everyone else.

One of the fantastic things about the parliamentary scrutiny process is that it shows that NPF4 is a Scotland-wide document and it is for everyone to contribute to its implementation. The message needs to get out that this is about engaging not just residents who do not want housing developments but all parts of Scotland's community, to make our places better.

Willie Coffey: Thank you. I want to ask Christina Gaiger and Ailsa Macfarlane about a third issue that came up in relation to local plans. We heard yesterday from East Ayrshire Council officials about the difficulties that they face with reusing brownfield sites in urban settings that are close to rivers, given the objections to developments that come from the Scottish Environment Protection Agency and others because of flood risk.

Christina Gaiger said that 85 per cent of existing buildings will still be here in 2045; I am prepared to bet that 100 per cent of Scotland's towns and villages will still be beside their rivers in 2045. How on earth do we tackle the issue? Do we just continue to object to town centre developments that could help to meet the aims of NPF4, because of the flood risk, or is there a better way to tackle the issue in the short and medium terms? I will come to Ailsa Macfarlane first.

Ailsa Macfarlane: On how we incentivise the reuse of our places, the issue is very much the embodied energy within those places. Sites can have a carbon benefit, rather than what is sometimes described as a heritage deficit.

We talked about making the need for maintenance part of a longer-term strategy for our places. That could be built in from the beginning of the process. The policies on vacant and derelict land will help, as will policies on identification.

In the context of the changes that can happen in town centres, BEFS members have expressed concern about the lack of amenity space as areas transition to housing, which can be an issue even where housing already exists. Perhaps the process of identification and transition could be more usefully supported through policy.

Paragraph (m) of policy 28 expresses an intention to use the buildings at risk register to inform and guide decision making when it comes

to reusing buildings. It is good that the register is mentioned, but there is concern that we need to be able to focus on a range of buildings and not just buildings at risk, so the policy could perhaps be broader.

I understand SEPA's concerns. BEFS members have not commented particularly on the issue and I would not want to take anything away from SEPA's specialist knowledge. It is about finding a balance between developing usable flood plains and identifying land elsewhere. Incentivising the use of brownfield land, where possible, is essential to our places.

11:00

Willie Coffey: I also namechecked Christina Gaiger. What can we do about the problem? We cannot just leave sites in our town centres that are near rivers—particularly brownfield sites—because we think that they might flood. We have to do more. What can you suggest?

Christina Gaiger: It is an interesting problem. You might have seen that part of the RIAS strategy for the 26th UN climate change conference of the parties, or COP26, was about looking at inland as well as coastal flooding.

It is about understanding sites and prioritising the protection of existing green space, views, daylight and amenity opportunities. It is about encouraging the principles of net gain and avoiding offsetting. That means that the value of brownfield sites changes, because that is where development is well placed. However, as you said, there are many issues with such sites. It is not just about SEPA and flooding. It is about understanding sites before development moves forward, by working with SEPA and taking a different design approach. We have talked about NPF4 as a shift; design architecture is also shifting. We have to learn to adapt and to deal with such sites, to maximise their capacity, and to free up amenity and protect green space; those things go hand in hand.

That is the challenge for the whole industry. It is about setting targets to ensure that we focus on and work towards them, so that the change happens. There is a huge amount of expertise in SEPA and other organisations that look at such sites. It is a design challenge, which is what architects love, so I am coming at the issue from a different perspective.

We have to address the challenge. It is not for just one person to solve; it takes teamwork. As people say, "We need to use this opportunity; how do we do that?" We would be happy to be involved in discussions about the challenge that we have to overcome.

On your previous point, there is the opportunity to bring the public and private sectors together—let me get the terminology right here; I am thinking about the Scottish Council for Development and Industry—to ensure that there is a bridge between residential, private ownership and business interests.

Willie Coffey: Thank you, that was helpful.

The Convener: Thank you. That concludes our questions. I think that we have done a good job in covering a lot of ground. The witnesses have made good and important comments in response to our questions. It has been a helpful session. Thank you all for giving up your time and joining us today.

I will suspend briefly to allow for a changeover of witnesses.

11:02

Meeting suspended.

11:06

On resuming—

The Convener: Welcome back. We will continue to take evidence as part of the scrutiny of NPF4. I welcome our second panel of witnesses: Dr Caroline Brown is a lecturer in environmental planning and healthy environments at Heriot-Watt University; Professor Cliff Hague is emeritus professor of planning and spatial development at Heriot-Watt University, and chair of the Cockburn Association; and Professor Leigh Sparks is deputy principal and professor of retail studies at the institute for retail studies at the University of Stirling.

Thank you for joining us. We have already had a rich evidence session with the previous panel and are looking forward to hearing from you. We will move straight to questions. We tend to direct our questions to one person initially, but if any other witnesses want to come in, they should please put an R in the chat function. If we start to run out of time, witnesses may be asked to come to a point to ensure that all questions are answered.

I will kick off with the first question, which I will direct to Dr Caroline Brown first. The draft NPF4 represents a significant shift in national planning policy, with a new focus on issues of place, liveability, wellbeing and emissions reduction. Will the Scottish planning system be able to deliver those ambitious outcomes?

Dr Caroline Brown (Heriot-Watt University): That is an interesting question to begin with. The shift in focus is significant, and that will create a challenge for the planners who work in the system as well as others who work in development—

house builders, developers, architects and so on—to understand and interpret the policies and the principles behind them. We have already heard from others about the need for clear language and definitions. From my perspective, some elements of NPF4 are welcome, but they need to be fleshed out in order to provide clarity. That is important because, in a discretionary system in which planning officers, developers and others are talking about what should and should not happen in the future, any doubt about terminology that is not crystal clear allows developers to push against requirements and diminish what they deliver, particularly in a system that is struggling for resources.

Many developers are ambitious about what they are doing, want to go further than policy and are ahead of some of these ideas in some ways, but many are also well behind the curve. We have to bring the unwilling along with us, so it is important to clarify these terms in order to help planners to deliver this on the ground. That is important in an underresourced system, because the time for those conversations is limited. It is easier with more planners, but when there are few planners it is hard to make these things stick with developers and to say to them, “Biodiversity, climate and health and wellbeing are important—your scheme does not deliver on those and we need more.” If we have clarity about what we are expecting, it is far easier to deliver for everyone.

The Convener: That was very clear; thank you.

Professor Cliff Hague (Heriot-Watt University and Cockburn Association): I agree with what Caroline Brown said and with much of what was said by the first panel of witnesses.

The less clarity there is in a system, the more it favours those who have deep pockets. This is not a matter of clarity for clarity's sake; it is an equity issue. Clare Symonds's presentation earlier about housing need and demand analysis showed that the more complex the system becomes, the more impossible it is for any kind of grass-roots involvement to be meaningful.

Clarity and simplicity are desirable and would also go some way towards freeing up some of the existing human resources in the planning system. The complexity of the system and the focus on development management tends to mean that staff are very pressed. I accept that. If we could make the system simpler and clearer, with less recourse to special pleadings and planning appeals, the existing resource could be used more effectively.

Having said that, we must also engage with the issues that are coming to the fore, particularly the circular economy and community wealth building. We need an investment in skills development to

make the system effective in dealing with those areas. When Robbie Calvert said that he did not know much about community wealth building, that was indicative of the situation. That is no criticism of Robbie, as he was probably reflecting a widely held view. However, there is some literature out there and there are examples of good practice.

Some things are simple. Housing flexibility undermines the notion of community wealth building. It takes wealth out of the community by adding to the value of land that is owned by developers and those who fund them. Wealth goes into the pockets of investment trusts and hedge funds. Far from benefiting the local economy and recycling material within that economy, wealth is extracted.

I could say much more, but I am sure that other people want to come in.

The Convener: That was insightful. You have filled in some parts of the puzzle for me.

You talk about planning departments being pressed. Some of that comes from the right of recourse to appeals. Why do we have an appeal system? Developers can have a planning application refused but then take it to appeal. You are saying that constantly having to deal with that puts pressure on planning departments

Professor Hague: I used to give one-hour lectures, but I will try to contain myself.

That goes back to how the system was set up in 1947, when there was lobbying by landowners. If we look at the international picture, many systems have some right for a disappointed applicant to appeal, but not many have the extensive system that we have in the UK. For example, in much of Scandinavia, an appeal goes back to the local planning authority rather than through a quasi-legal process with centralised decisions.

What we have reflects the balance of interests in the system. There was extensive discussion of that when the 2019 Planning (Scotland) Bill was being taken through the Parliament, and the decision of the Parliament was to retain that sort of system.

11:15

The Convener: Thank you for your reply and for keeping it brief. I was digressing a little bit. I keep hearing that planning departments are stretched, and we are looking for the opportunities to put some ease into the system.

I will move on and bring in Mark Griffin, who has a question for the witnesses.

Mark Griffin: Do members of the panel think that the policy priorities that are set out in the draft plan align with other Government strategies and

investment priorities? Do you think that the draft plan would benefit from having its own capital investment programme to ensure that some of the ambitions are delivered? Perhaps Professor Leigh Sparks would like to come in, as he has not had a chance to contribute so far.

Professor Leigh Sparks (University of Stirling): I am not sure that I am the best person to address that question, but I can take the alignment point first. There is alignment, but it could be clarified rather more than it is at the moment. It is important that other emerging policies have the right alignment with NPF4 as it develops. There is more work to be done in the Government on both sides of that.

From the bits that I know about the capital element, I think that there are funds available and that there will be more funds available for the place-based investment programme. I am not sure that I would add anything in terms of additional funds. Complicating the landscape with lots of little funds does not necessarily help us that much.

Dr Brown: I agree with many of the things that Robbie Calvert said earlier, including the point that it is important that there is clarity about how the Scottish Government intends to implement NPF4 and, where necessary and particularly for the national projects that are outlined in the draft NPF4, where the resources will come from.

I note that the draft NPF4 talks about an infrastructure levy, which is an important potential component. An infrastructure levy is the sort of thing that might be used to help to deliver an infrastructure-first approach. My understanding of infrastructure first does not necessarily align with what is in the draft plan, which is about understanding infrastructure needs before doing things, rather than delivering infrastructure before doing things. That is important—it jumped out when I read the draft. I am definitely up for infrastructure first, but I am not sure that how it is written in the draft is quite how I would put it.

In order to deliver infrastructure first, we must have capital funds and we must define what we mean by infrastructure, which the draft does not define. Are we talking about roads only, which is what most people think of first with infrastructure, or are we also talking about schools, healthcare facilities and the assets in a community that make it a healthy place to live in, which could also be described as infrastructure? It is important that there is money and a plan to deliver this and, if necessary, to bring funds together.

I will stop. There is much more that we could talk about on, for example, transport, but let us not go there.

Professor Hague: That is a really important question, Mr Griffin. Everybody talks about

integration; we researchers always say that, for effective policy making, you must integrate so that one ministry does not undermine the policies of another. However, in practice, it is difficult on the ground. What will be necessary is close working across Scottish Government areas. The planning and health dimensions certainly need to be pulled together, and it would help if there were budget lines attached to elements of the plan.

However, I echo what was said earlier: most of the infrastructure for 2045 is already there. A lot of that maintenance money will come out of private pockets. We need ways of influencing that.

When it comes to other areas that we need to connect, the word “homelessness” does not currently feature in the draft NPF4, yet the Scottish Government has important policies on homelessness. I cannot see how one can talk about human rights, which include the right to adequate housing, and have a section on housing that does not have some mention of a connection into homelessness policies.

A range of things need to be done, and there is an important message for politicians and officers when it comes to embedding the aspirations of NPF4 widely across the full range of Scottish Government services.

Mark Griffin: Thank you.

I move from funding to implementation and monitoring. As we move from a five-year planning framework to a 10-year planning framework, how important is it to monitor and review the implementation of the strategy, policy and housing targets, and how best do we do that?

Professor Hague: I am old enough to remember the days of research and intelligence teams in local government planning departments. Information collection and research are important. Local government is closest to the action in such things and it needs to revive that kind of capacity.

When it comes to monitoring, the key questions are on what the priorities are. Monitoring is then focused primarily on those priorities. For quite a long time in Scottish planning, we have tended to focus on consumer satisfaction surveys, if you like, whereas we need to see how NPF4 begins to impact on the circular economy and on other issues such as the climate emergency, as I said earlier. My suggestion is to pick out the priorities, get key indicators and share the monitoring process with local government.

Dr Brown: We definitely need implementation and monitoring. That has been stretched within planning as a discipline and a profession within local and central Government because of resourcing issues. I therefore completely support

what others have said, including on the measurement of outcomes.

Planning has not been very good at reflecting on how well it has performed in the past. Yesterday, I was wondering to myself whether a published evaluation of NPF3 was available; I could not find one. I do not know whether anything like that has been fed into the preparation of the draft—forgive me if I have missed it. However, such questions are important. I do not suggest that we should invent a new system for doing that or should add burdensome requirements for reporting on it, but it is fundamental to knowing whether what we are trying to do is happening, and whether the policies that are in place are delivering for us.

Professor Sparks: I absolutely agree with what has just been said by Cliff Hague and Caroline Brown, but I have two other points to develop slightly.

Particularly when it comes to some of the areas that are new for us in NPF4, we need to understand what we actually want to measure, and how we measure that, because we do not have the right measures at the moment. The way we have done that previously—the way we currently do it in towns, for example—is not suitable as a way for us to think about place building and what we want to build.

Secondly, I make a plea for comparability and consistency in how we measure things. We should not have 20 or 30 different ways of measuring the same thing across different places. That is important if we are to understand how we are making progress.

Elena Whitham: I will direct my first question to Professor Hague. The concept of 20-minute neighbourhoods is mentioned about 34 times in the draft NPF4—it seems that it is on everybody’s lips nowadays. When I was part of the social renewal advisory board, it was spoken about a great deal by many people from many different policy areas. What will it take to turn that concept from a policy priority into a reality?

Professor Hague: [*Inaudible.*]—and action on the ground.

We need to recognise that the 20-minute neighbourhood applies not only to new developments but to many of our existing neighbourhoods, in which public and private services have been diminishing over the past 10 or 20 years. Using the concept in that context is critical. It is not simply about creating a nice design for a new city development; it is about tackling the legacy that we have.

On the one hand, as was said earlier, it is crucial that we look at embodied carbon and how we ensure that everybody lives in a healthy and

attractive environment. However, on the other hand, we need action with regard to existing facilities—for example, the youth clubs and shops that have been lost. I have no doubt that Leigh Sparks can say much more about that than I can.

We also need to recognise the importance of transport connectivity between neighbourhoods, and we need evidence on the places where accessibility is poor. Even in big cities such as Edinburgh, Glasgow, Aberdeen and Dundee, some neighbourhoods are relatively poorly served by basic public transport. We need to back the idea that they can link into local place plans. That can generate enthusiasm and commitment among people at the local level in respect of taking greater control of their neighbourhood, but it requires a clear framework and resourcing at the local level.

Going back to what I said earlier, perhaps we could shift some of the capacity in planning departments towards work on regenerating existing neighbourhoods instead of dealing with applications for new developments beyond the edge of the city, which go against the development plan and are a drain on the resources of all concerned.

Elena Whitham: Before I bring in Dr Brown, I want to take you back to the concept of community wealth building, which we touched on earlier. How does the idea of keeping wealth local fit in with the concept of 20-minute neighbourhoods?

Professor Hague: In a number of neighbourhoods, we have seen—I am sure that you will be familiar with this—a combination of disinvestment by the public and private sectors. We have somehow to begin to turn the situation around.

There must be connections with the Scottish Land Commission work, which is surprisingly underrepresented in NPF4 as it stands. Using that work and the Community Empowerment (Scotland) Act 2015, we have to begin to find different ways to address that, whether through social enterprises or start-ups. We can take advantage of the cheapness and availability of empty property to potentially generate a level of reinvestment at the local level.

It will be different in different areas, and there are lots of challenges. You probably need souls on fire—people who have a passionate view—to drive it at the local level. However, you have to back those people with start-up money—pump-priming investment—that will help to pull things together. A local place plan that has a 20-minute neighbourhood focus tied in to the other streams of—depending on the place—involving and generating social enterprises, local start-ups and

cultural events, for instance, shows a mindset that says that we are serious about transformation.

Elena Whitham: Does Dr Brown want to add a couple of thoughts to that?

11:30

Dr Brown: Yes—20-minute neighbourhoods are fascinating. There is a significant danger that the policy could turn into something very commercial so that people feel that, if they do not have a Costa or Starbucks coffee shop within a five-minute walk, 20-minute neighbourhoods have failed. However, as Cliff Hague said, the idea needs to be much more rounded so that we are clear that it is not just about commercial retail opportunities such as having a coffee shop nearby but about other community uses and social enterprises—the circular economy, to give one example. It is about having a repair shop, tailor or cobbler nearby, for example. Getting those sorts of things that were traditional into our neighbourhoods in a 21st century form would be a way of making 20-minute neighbourhoods happen.

We talked about implementation and monitoring. Mixed-use development is a long-standing approach in planning. We have many policies that have attempted to deliver it over the past two or three decades. However, there are many examples of how it fails. I am speaking from Edinburgh, where there are many examples of housing-led development that has retail units in it to meet the requirements of the policy. However, those units remain empty—for years, in some cases—and sometimes eventually become housing because no business has been found to take up the opportunity.

We need to link up business support, community enterprises and social enterprises to animate those opportunities. It is easy to write a policy that says that we want mixed-use developments and that we want to provide retail and other opportunities in neighbourhoods new and old, but, if we cannot get people to bring or create businesses to occupy those spaces, we fail. That is the big danger. We need to reflect on how well some of those policies have worked in the past and how we might change that so that communities become hubs for local businesses and enterprise, whether socially or commercially led.

Elena Whitham: That is great, Dr Brown, and it is a really good segue into the question that I have for Professor Sparks.

A huge driver behind the draft NPF4 is living locally. Given your expertise on retail, Professor Sparks, do you think that the framework will drive local investment in planning, or will we still end up

with out-of-town retail as opposed to in-town retail?

Professor Sparks: I will try, like Cliff Hague, not to give a one-hour lecture.

There are many good things in the draft NPF. *[Inaudible.]*—I am very supportive of—*[Inaudible.]*—on the new—*[Inaudible.]* I am more worried about it in terms of—*[Inaudible.]*—which goes back to the earlier discussion, where there are holes, and people will push back in many ways.

There is an awful lot of “should”, and I would prefer the NPF to be rather more focused and directed. There are words such as “additional”. In the section on the town centre first assessment, NPF4 talks about considering out-of-centre locations if

“there will be no significant adverse effect”.

I can see us having an entertaining discussion about the word “significant”.

If we are serious about the state of towns and bringing things into 20-minute neighbourhoods and town centres, we need to be much more focused on saying that out-of-town development should not exist anymore and must be reversed in many ways. That was the thrust of what we tried to say in “A New Future for Scotland’s Town Centres”.

I am pleased about the way that NPF4 is going, but I would make a plea for it to be strengthened. If that does not happen, there will be—*[Inaudible.]*—and people will continue to try to do things.

One of the witnesses on the previous panel said that there are those who are on board in terms of where this is going and those who are not, and it is that latter group that I worry about, because they are focusing on a model that, to all intents and purposes, has been damaging our town centres and our places. I would try to get NPF4 to push strongly to say that we really must stop that development—not that we should stop it, but that we must stop it.

Elena Whitham: Thank you, Professor Sparks.

My final question is for Dr Brown. Do you think that the policies in the draft NPF4 will produce an environment that meets the needs of children, women, older people and disabled people? If not, what changes would you like to see?

Dr Brown: So, another one-hour lecture coming up.

There are many promising things in the draft NPF. However, one of the things that is missing is any mention of those specific groups and their needs. Clearly, it is hard to summarise the

situation. Children, women, older people and people with disabilities are extremely diverse groups, but it is important to mention some critical issues that affect those groups and in relation to which they are currently disadvantaged.

For example, with regard to active travel and cycling, we know that more men than women cycle. Why is that? It is to do with infrastructure. If we take that as a starting point, that helps us to see what kind of policies we need to put into effect and what kind of designs will help us to reduce that inequality. The same issue applies to children.

The place efficiency duty—which sits alongside the NPF—is an amazing step forward. We have a good precedent in Wales to look at, and that will really help.

Giving planners and other professionals some pointers about how those groups are disadvantaged and about the inequalities that they face can help us to work out what we have to do. The NPF does not mention those groups. It talks about equalities but, if we do not know what the inequalities are, we cannot fix them. We need to say what those inequalities are.

I could go on, but I should leave it there.

Elena Whitham: What you have said is helpful, and it echoes a lot of my feelings on the issue.

Paul McLennan: Professor Hague, I have a question about the policies in the draft NPF4 that are aimed at protecting our built heritage and about reaching the right balance between preservation and allowing essential action to reduce carbon emissions. Do you have any comments on that? What changes would you like to see in that regard?

Professor Hague: I would like the historic environment part to be connected up much more strongly with the overall strategy instead of being an appendage that is added on late in the process. I would like there to be a recognition of not only historic buildings but our landscapes and land. Those things connect to the issue of a circular economy. The idea behind the circular economy is that you should not use up finite resources, and land and buildings are finite resources. We need to see the conservation of the historic environment as part of a much wider conservation focus.

If we switch the focus of NPF4 from dealing with the incremental development that will happen between now and 2045 to—as, I think, your earlier witness from RIAS said—the 85 per cent of development that will still be around in 2045, that will be a more effective approach.

We therefore need not only explicit connections with historic environment policy statements but a shift in focus to bring in the historic and existing environment. After all, we are all, in a sense, living

in a historic environment; it might be only 10 years old, but it is historic nonetheless, and we need to think about what we do with those places, how we manage and care for them and the assets and wellbeing that they provide to people from all walks of life in Scotland. That is really critical, and it is where we need to focus our efforts.

Paul McLennan: You will know with your Cockburn Association hat on the relevance of that approach in Edinburgh and, indeed, with lots of buildings.

Perhaps Dr Brown can give us her thoughts on this question, and then Professor Sparks can talk about this issue with regard to the development of our town centres, given the number of old historic buildings that might be involved in that.

Dr Brown: This is where things get tricky and hard. I cannot put my finger on it at the moment—I think that it is in the section on green energy—but one part of the document talks about balancing proposals for solar arrays with historic environment aspects. I live in a lovely villa in an historic conservation area, but what if I wanted to put solar panels on my house? Which aspect would be more important? That is why some of the earlier witnesses highlighted the need for clarity with regard to overarching goals.

As an environmental planner, I have to say that my view is that, in many cases, we should put the environmental and climate aspect before the historic environment aspect. I recognise Cliff Hague's elegant point about the circular economy and the responsible use of finite resources, but this is a really important question and there is a lot of nuance with regard to how we reconcile some of the policy objectives.

We should recognise that some of the things that we do with our historic environment are necessary if we are to meet our 2030 and 2045 carbon reduction objectives, and we have to grapple with some of this detail. It will be gritty and difficult, but I am afraid that that is the task that lies ahead of us.

Paul McLennan: You are right to ask how overarching strategies come into NPF4 and how that sort of thing is interpreted. There will be a degree of flexibility in interpretation, with each local authority looking at these things differently. It is certainly an issue for the committee to grapple with.

Professor Sparks, do you want to come in on this question? As far as economic development in some of our cities is concerned, some old buildings might need to be upgraded, but there is also the impact of the essential actions that must be taken to reduce carbon emissions, which might make those buildings unviable. What are your thoughts in that respect?

Professor Sparks: I will make a couple of points, if I may.

First, the issue varies by place. Each place is individual, and that localness is quite important. After all, the localness of historic buildings is what makes a place distinctive. I know that the historical aspect is highlighted in the "Distinctive places" section of the NPF4 draft document—it could be mentioned in other places, as Caroline Brown suggested—but there is a feeling that the identity of a place is all about what it looks and feels like and that destroying that, for whatever reason, is not necessarily a good thing. If we are to have places that are liveable and attractive, we need that historic environment element.

Is it more difficult to do things in historic buildings than in greenfield sites or elsewhere? Yes, absolutely. Is it more expensive? Yes, but we could alter that by thinking about changes to taxation systems and other such aspects. However, we need to grapple with the fact that we have these places, these buildings and these centres that people identify with but which are underused. We should not be wasting them, so we need to find a better way of making people use them than we have at the moment. However, I appreciate the difficulty in that. It is easy to say and more difficult to do.

11:45

Paul McLennan: I have a supplementary question for all three witnesses. Is there a need for clear supplementary guidance from each local planning authority in that regard, on top of NPF4? Obviously, we are talking about delivering NPF4, but what do we need beyond that? Maybe Professor Hague or Dr Brown wants to answer that. For example, in Edinburgh, given the built environment, is there sufficient guidance just now, or do we need clear supplementary guidance as well?

Professor Hague: Generally, supplementary planning guidance would help.

I just want to make a slightly related point that I think Leigh Sparks would echo. Historic buildings can be particularly significant in smaller towns. We have not discussed small-town Scotland and the overall spatial strategy very much. The closure of one significant building, whether it be a church, a district court or a former bank, can have a detrimental impact, as those tend to be imposing buildings in town centres that give distinctiveness to the place. It is important that we recognise that unless we can make an impact on reuse of those buildings, such closures have a detrimental effect on the vibrancy of a small town, and small towns are a significant part of the Scottish urban landscape.

I see that Leigh wants to jump in, so I will happily pass over to him.

Professor Sparks: I wanted to say exactly that. Cliff Hague makes a very good point. Those buildings are distinctive. We have distinctive urban forms in Scotland, and, if we take out some of the major buildings or major historic artefacts, a place loses its identity. Such buildings are more important in smaller towns because they are so significant. We have built that up over a long period, and we lose it to our real cost. That point about small towns is really valuable.

Paul McLennan: Thank you. That is another issue for the committee to consider.

I want to move on to housing. The policy approach that is taken to housing in the draft NPF4 includes the minimum all-tenure housing land requirement. Will that result in the homes that people need being built where there is demand? I will go to Dr Brown first and, after that, I will see if anybody else wants to come in.

Dr Brown: I am not a housing expert—I have many colleagues who are experts in housing—but I am a planner and I have a view. There are some useful things in the draft NPF4, but I find it astonishing that the management of short-term lets is not addressed at a strategic level. Short-term lets have, in effect, taken many homes out of the housing market and put them into the tourism market. If there was a development for a hotel, we would require it to have planning consent. However, short-term lets are allowed to happen without any coherent national-level regulation, which I find extraordinary.

I also find it extraordinary that the draft NPF4 does not mention the significant impact of short-term lets in many local housing market areas. That of course includes Edinburgh, but it also includes many rural communities, which are really suffering as a consequence of the issue.

I do not want to take up more time on that, because I am sure that Leigh Sparks and Cliff Hague will have other things to say, but I find that to be a particularly extraordinary missing component in the draft NPF4.

Paul McLennan: You will know that we have been discussing that topic in the committee for the past few weeks. Obviously, there are measures that local authorities can take.

Professor Hague or Professor Sparks, do you want to come in on that?

Professor Hague: I echo Caroline Brown's comments. We have lost literally thousands of flats that were, broadly speaking, providing affordable accommodation in Edinburgh, particularly in the city centre. That has impacts on the character of the city centre, as a living centre, and on other

parts of the city. We do all this juggling of housing demand numbers, but we do not consider the impact of the loss of housing to commercial renting that has been unregulated. I know that there are moves in other areas of the Scottish Government to address the issue.

Similarly, there is a bit of naivety or inconsistency in NPF4. For example, in the housing section, build to rent is endorsed as a good innovative form that the Government intends to back. In *The Observer* on Sunday, there was an interesting article that said that hedge funds across the world are piling into build to rent, because it is low risk and it offers high returns that are guaranteed in the long term. A better way could not have been designed of taking money out of a local economy and relocating it to a tax haven—it is ideal from that point of view.

We need to get to grips with such issues. The housing policy section, in particular, needs to be rethought. Of all the sections in NPF4, it is the one that shows the most continuity with past policy and the least willingness to grapple with the notion that there is a climate emergency and the fact that we need to regenerate places and to reinvest in the assets of local areas to community benefit, rather than see them drain away.

Paul McLennan: Thank you.

Professor Sparks, could you give a bit more detail on the issue of “town centre first” planning? You have said that the direction of travel should be to make high streets and main streets mixed used, which involves people living on those streets—and many people want to do that. Could you answer the question with your town centre hat on?

Professor Sparks: Cliff Hague's final sentence was very interesting. When I was writing my notes on what the draft NPF4 says about housing, I just wrote, “Meh.” I am not sure what it is delivering.

If we think about what we have to do on the elements that you mentioned, we need to have 20-minute neighbourhoods and gentle densification around town centres, because building the community around the town centre builds the core—it builds the high street and all the other assets in the town centre. We need to pull that together. When I read the sections on housing, I did not get that sense.

It should be borne in mind that I am not a housing expert, but I did not get the sense that, on housing, NPF4 was aligned with what we have talked about in the other policy directions. There is a tie-in with issues such as ownership and community wealth building, as others have said. I was disappointed with what NPF4 said about town centres and the link in that regard.

I echo the view that more work needs to be done on the housing side of NPF4 and that it needs to give more of a sense of how we use the assets that we have in order to break what we know is a problem.

Paul McLennan: Thank you.

The Convener: I thank all of you. It is good to hear your perspectives on MHATLR, which we are trying to get our heads around.

Miles Briggs: Good morning. Professor Sparks, you have put on record your view that the draft NPF4 is poorly worded, but I want to look specifically at the priorities in NPF4 and how those are impacted by the language that is used. Should the priorities be laid out far more clearly? For example, should there be a presumption in favour of renewables when planning departments consider applications? The fact that the meaning of the language that is used is sometimes not clear has already been touched on.

I would like to hear from Professor Sparks on that, but I would be happy to hear from others, too.

Professor Sparks: My comments about language were focused on the part of NPF4 about town centres. I am not sure that I am as able to comment on the renewables part.

I am very concerned about the fact that NPF4 is trying to be more balanced than I would be. If we are serious about the things that we have talked about—the climate emergency and the things that we want to bring about, such as 20-minute neighbourhoods and community wealth building, which are good for health and wellbeing and all the rest of it—we need to be rather more prescriptive about those aspects.

I go back to my comment that I am taken by the town centre first assessment and the point that there should be “no significant adverse effect”. Given where we are, why should we have any adverse impacts on town centres? What is that language about and what is the room for argument there? I would like the language to be much strengthened throughout the document in many ways and certainly on the implementation.

In Stirling last week, an out-of-town development was given planning permission, despite the council’s recommendation that the development should be rejected. I fear that we will continue to get such an approach, which relates to language issues. If I have got this right, the framework’s glossary does not define out-of-town locations, so that provides wriggle room. I would like a lot of things that relate to such practicalities to be strengthened.

Dr Brown: The issue is important, because it affects delivery and implementation. When planners are tight for time, having a definition that

is set out is very helpful in the discussion with a developer about what an adverse impact is and what significant emissions are.

We have a discretionary policy and a discretionary system, so anything that is in NPF4 or in a development plan could be discussed and negotiated around. Stronger language helps to identify the red lines, if you like, that define what is and is not acceptable, but we still have a lot of exceptions that apply when there is an overarching need or when an outcome cannot be achieved by other means. Unfortunately, some developers persist in exploiting such loopholes. In authorities that have underresourced planning teams, those loopholes get bigger.

As Leigh Sparks said, we continue to see consent being granted for applications that do not meet the spirit or the letter of design guidance and do not comply with many existing policies. As Robbie Calvert said, such decisions are sometimes guided by feelings about success at appeal. The question for an authority is about how likely a developer would be to succeed in an appeal if an application was turned down at the earlier stage, and whether the authority could afford to defend an appeal. That is an unfortunate side of implementation, which is why we need clarity and much tighter definitions of terms. Some terms are not defined in the glossary at the back of the document and many terms are defined in a way that I am not sure is entirely correct or detailed enough to be defensible.

Miles Briggs: That is helpful. My next question is about opportunities to consult stakeholders properly. The committee has expressed concern that its inquiry and work and the Scottish Government’s consultation work are running beside each other. Are there other opportunities for people to feed in views? Are you concerned about that? Given the pandemic, this has maybe not been the best time for making it a priority to ensure that people are aware of NPF4 and can see what it will mean for their communities. I am happy if anyone wants to add anything on that.

Dr Brown: When I looked at the draft, I was struck that it is very long—it has more than 100 pages and has various annexes and supporting documents. It is as wordy as anything.

I have been a chartered town planner for many years, so I understand the document and its intentions, but for someone who is not a planner or a policy person—for a regular resident of a community who is interested in planning issues—the document would be extremely off-putting. Much of the information is a geographical assessment of different parts of the country, which is an interesting section, but the document is written in an extremely wordy way. We must think critically about the purpose of such documents.

It also strikes me that there is no linking in the document between the national projects and any of the outcomes that are specified. That link is not clear if we pick one project at random. There is a description of the project and its need, but there is no link through to what national outcomes it will help with. Therefore, there are big issues.

12:00

There is not just a blizzard of consultations around all the planning issues; there are many other things happening, too. We have live consultations on transport issues. The car kilometre reduction route map has just come out, and various other things are on the table. Organisations that work in and around land use therefore have an extremely busy time. That is tricky, and it adds an extra burden for the community.

I have some radical ideas about community consultation because of issues around who talks, how much they say and whose voices are loudest, and the overburdening of successive consultations about the strategic and the detailed, the historic, transport, air quality, low-emission zones and post-colonial slavery legacy. As citizens, we are bombarded with those things. We should think radically about the ways in which we do that. Perhaps now is not the moment to share those ideas with the committee, but there are significant questions about the burden on professional and citizen stakeholders.

Miles Briggs: We would like to hear those views. Maybe you could provide them to the committee in writing so that we could include them in our work.

Professor Hague: I agree with Caroline Brown on that point. I have great sympathy for the team in Victoria Quay that is putting the framework together. It was dealt a very difficult hand with the decision in the 2019 act to combine the NPF with Scottish planning policy. That has been useful in many ways—a lot of the discussion this morning has been about how we connect those two things more rigorously—but that almost guaranteed a document that would be quite long and quite difficult to digest. That is necessarily still a work in progress.

With my Cockburn Association hat on, I will say that the Cockburn Association is probably one of the strongest local associations in Scotland. We have a long history, and we are able to employ the equivalent of two full-time staff, but there is so much going on that it is almost impossible for us to respond to everything in a way that we would really like to.

Those are important questions. I had another point, which I have forgotten, so I will shut up.

Professor Sparks: This might not be the area that you started off with, but there is a big job to be done at the local consultation level. Through the work of the social renewal advisory board last year and the town centre action plan review, the one thing that we heard in common was that communities and people in places did not feel that they had a way of getting their voice heard and that that was very difficult for them. Things were done to them rather than with them or rather than their co-producing things. There is a lot of work to be done at that level of the consultation element, although “consultation” is probably the wrong word to use in that context.

The Convener: I will sweep up and pick up a question that was skipped over earlier. Do the policies that are set out in the draft NPF4 make provision for meaningful public engagement in the plan-making and development management processes? If not, what changes would you like to be made?

Dr Brown: There are definitely things that can be improved. I confess that, in looking at NPF4, I have not focused on or engaged with the process side of things. I am not sure that anything much has changed. There are always things that can be improved.

Earlier, we talked about women, children, disabled groups and underrepresented groups. There are always questions about how we are able to involve those groups in the planning system, and I do not see anything in NPF4 that addresses those concerns or difficulties.

The Convener: Cliff, do you have anything to add on that?

Professor Hague: I have remembered what I was going to say to Miles Briggs, which was that it would be more helpful if the Parliament had a pause between the end of the inputs on NPF4 and its own decisions on it, rather than tying those two things together.

There is a logic in the top-down approach. We have said that we want consistency and that the priorities are important, so we have to accept that some of that means that things will get fixed in NPF4 that will cascade down. The problem will then become that nobody knew about NPF4 until it hit with an application on the ground in their area. I have seen very little media coverage about it. That is quite surprising, given that we are talking about decisions that will affect the whole of Scotland over the next 20-odd years. We might have thought that some of those were more important than the report of a hit-and-run accident somewhere, or a break-in at a shop, but such a thing does not seem to make it to the national news.

I do not know whether MSPs can help, in that you tend to have more access to an audience than other people do. We need to raise the awareness that an important consultation is going on at the moment, that it will have impacts and that people should be encouraged to have a say.

A theme running through the morning has been about how all this stuff hits the ground and what people can do. There are approaches that go under the heading of tactical urbanism—micro-level interventions, some of which are temporary. I think that somebody talked about the question of what we can do about the abandoned site that stands on a corner; tactical urbanism says, “Hey, we can make a community garden there—let’s get on with it.”

We need something that would give much more empowerment at that local level to act within the spirit of NPF4, because the difficulty with any top-down thing—again, it has been touched on—is that each place is different. We have to tailor the good intentions and the overall policy to the specifics of topography—we talked about places whether there is a river near the city centre. All that local complexity is a great strength if we can tap into it effectively. That means giving people the power to act—and supporting organisations and institutions that can do that—at a local level. Earlier, PAS was on the call. I declare my interest as a patron of PAS. We need such facilitating interface bodies to provide support at local level.

The Convener: Thank you for that response and for giving us the term “tactical urbanism”; that is brilliant.

Professor Sparks: My sense is that much of the consultation and engagement that is done through local authorities is very traditional. Caroline Brown talked about some of the groups that are not engaged in that way. Local authorities need to think of new ways of engaging a range of people and about doing it much earlier than they have. Again, there is more to be done in those areas.

There is a question about resourcing. In the earlier session, capacity building was referred to—how do we do that? I agree that we are underresourced. Some places, fortuitously, have good community assets and can do things; others need to get that engagement. We need to think of new ways of engaging. It is a bit too traditional and too much something that is done to people. We need to alter that.

Willie Coffey: Good morning, panel. I hope that you heard the discussion with the previous panel, because I want to touch base with you on the three issues that I raised then: first, how we fund this and engage the private sector in some of this work; secondly, how we strengthen our powers

with regard to derelict shops and buildings in the urban landscape; and thirdly, how we redevelop our town centres in light of increasing problems with flood risk assessments.

My first question is perhaps for Caroline Brown. Yesterday, we spoke to the local people in the Celebrate Kilmarnock team and some council officials and members about the work that they are doing down in Kilmarnock, and the fact is that many of their achievements have happened without the NPF4 being in place. This is a question about funding and support, because they have achieved those things through town centre regeneration funding and common good money. As I understand it, though, there has been no private sector contribution. How do we open all this up and better embrace and engage with the private sector? After all, they, too, have a stake in the redevelopment and success of town centres. Do you have any ideas about how we can reach out and do that sort of thing better?

Dr Brown: You had some very good answers to that question from the previous panel with regard to carrots and sticks, and I would also go back to my point about mixed-use developments in which units are provided but are never occupied by businesses.

As with delivery and implementation, this is about animation—in this case, business animation such as support that might be required for start-ups, social enterprises and so on. A really interesting idea that we should come back to is that business is not separate from community. Like residents, businesses are people and, as a result, anything that allows us to engage communities in their places will bring business with it. They have in some cases the capacity to make new businesses. As I think Barbara Cummins said, if there is activity going on, it brings people along, because they think, “There’s something happening. Maybe we can paint our shopfronts or put money into this or that.” I guess that it is a classic case of pump priming—in other words, using small funds to bring people along. However, as I have said, it is all about people—businesses are people—and anything that we can do in that respect will help.

As always, it is not just one thing; it is many strands brought together. Sadly, there is no magic bullet.

Willie Coffey: Thank you for that, because it leads me on to my second question. We have heard how in urban settings—not just in Kilmarnock but in any town in Scotland—there are difficulties with empty and derelict shops, buildings and land, and with abandonment. Most of that stuff is in private ownership. Do we have sufficient powers to deal with that issue? Indeed, is that the right way of going about it?

There are several buildings and shops in the town of Kilmarnock, which I represent, that it is proving almost impossible to get the managing agents even to clean. Some people seem to prefer to retain ownership of the properties while doing nothing to improve their look or feel, and that contributes to the overall sense of decay in the town centre. How do we turn that around? How do we engage with those owners, agents and others and get them to take a stake in this and be part of the redevelopment of towns? Professor Hague, do you have any views to offer on that?

Professor Hague: Thank you for bringing up what is a hugely important topic. I heard the previous discussion, which I agreed with, and I think that Caroline Brown has made some important points, too.

We need to disaggregate the private sector a bit, because it covers everything from the start-up shop that is run by a 25-year-old, and the family firm that has always run the furniture shop in the city centre, to the property ownership company and the hedge fund that sits behind it. The private sector is not a single entity.

12:15

Some years ago, I did some work for the Built Environment Forum Scotland that looked across a number of small towns in Scotland. We found several interesting things. The biggest problems are properties and sites that are owned remotely from the town. The flipside of that is that the local businesses—the ones that are really rooted in the town—are probably the starting point in trying to get something done.

Having said that, I remember going to, I think, Forfar, where the local Tesco was leading attempts to pull together the traders there to take some sort of action. However, the meeting that we had was in the new council offices, which were next to the McDonald's restaurant out by the bypass. The focus for the meeting was how we could revive the town centre, where there were lots of empty council offices. Decisions that are made in local authorities also have an impact.

The carrot and stick approach is right, but that is spatialised. In some places, you actually need the stick, because the development demand is very high. One complaint that the Cockburn Association has is that, although firms want to come only to Edinburgh—with due respect to MSPs from other areas, many firms are perhaps not going to go to other parts of Scotland—they are still given quite an easy ride, even though the council could negotiate a hard bargain. However, in other areas, you need the carrot, because the reality is that the investment will not go in without that.

It is about having an intelligence system and action on the ground. We need agents for change who are rooted in the communities in city and town centres and who liaise with all the players and identify the unique selling points. One thing that struck me in that study was that almost every town that we went to had one company or public sector organisation that was a leader. Many of them were trading in global markets and making widgets or whatever. However, they were in niches, and they did not seem to follow through to pull together the whole private sector in the town, along with the council and the community, to create the kind of interlinkage that all the research tells us is needed for a place to really take off again.

Willie Coffey: That is interesting, but what stick do we need to deploy to get a property owner even to clean their building? I have tried several times, and found that the owners have refused point blank. We have amenity notices, but they are not used widely because, ultimately, the responsibility falls back on the council if it serves such a notice and the work is not done. What on earth can we do? Some buildings are covered in graffiti or have posters stuck on them, and there are weeds growing out of pavements and doorways and so on. How do we tackle that kind of thing, with whatever carrot and whatever stick we have at our disposal?

Professor Hague: I do not know whether you can shame owners into doing that. It is a very difficult issue. Perhaps you could offer them some kind of community clean-up scheme. However, fundamentally, the situation is that somebody is sitting on an empty property because it is part of their property portfolio and they are trying to rent it for a price that they might get in somewhere like Reading but which is unrealistic in some locations in Scotland.

I again refer to the Scottish Land Commission. We have to get back to a situation in which there is active public sector-led regeneration in places that will not be regenerated simply through allowing the market to operate. That will happen in some places but not everywhere, and for the places where it will not happen, we need the drive and the powers to acquire land and buildings and repurpose them.

Willie Coffey: Professor Sparks, I invite you to respond to my third question. You might have heard me say that, in its local development plans, East Ayrshire Council finds it difficult to repurpose or reuse for housing or anything else, brownfield sites that are adjacent to rivers because of the flood risk, which seems to be on the increase. Do you have any thoughts about how we could overcome that? It will certainly not be done in the short term but, if we are serious about the success of NPF4, regenerating towns and building for

communities, we need to solve that problem with inner urban redevelopment. How do we possibly marry NPF4 and flood risk assessment to give town centres some hope of recovery post Covid and post anything else?

Professor Sparks: Thanks, Willie. I had my hand up about seven minutes ago, so may I try to tackle all three of your questions?

Willie Coffey: Absolutely.

Professor Sparks: I saw the convener pop into my screen, so I will be brief.

Cliff Hague said it: there is a danger in the way that we talk about the private sector. We need to split the private sector into large and small and consider the local elements of it. Those operate in different ways. There are some big private businesses that want to do things—[*Inaudible.*]—and, sometimes, we tar them all with the same brush. We need to be more nuanced about how we get the private sector involved. Local businesses, community organisations and social enterprises are really important in that, but big private sector operators will be important as part of that, too.

On local ownership, the point about absentee landlords demonstrates why community wealth building is—[*Inaudible.*]—they are from and are part of the community. That means that we need to take on more of those assets and get more of them back into ownership in the way that Cliff Hague suggested.

What the Scottish Land Commission will say about vacant and derelict buildings will be really important. What are absentee landlords and agents most worried about? It is their pocket. We need to think about financial aspects of how we become much stronger in ensuring that they realise the cost to them if they continue behaving as they are behaving.

That is really important, but there is a flipside. You mentioned amenity orders and other measures. Some of the councils to which I have been talking have lost the sense of robust enforcement and constant engagement. It is important to build councils' and planners' confidence to do that but private investors also need to have confidence that councils will do things for the place. Take the situation that I described in Stirling, where councillors are going against officers to allow an out-of-town development. Private investors in the city centre are going, "What is this about? Why do I have confidence in you?"

On your final point, I am not an expert on flooding or building and what you can do. We have to retrofit and rebuild some of the buildings in town centres as a consequence of the flood risk but we

must also consider where some of the floods are coming from. Towns are not a microcosm in one place; they are part of river catchments. The question is whether we can do other things elsewhere to ameliorate the risk to towns as well as what we can do on the building side.

I hope that that covered all three of your questions, Willie. I am not sure whether it did.

Willie Coffey: Those were really helpful responses from all three witnesses. Thank you for that.

The Convener: Those were useful responses. We will need to do an evidence session on derelict high streets so that we can dig down into the issue. There are some good examples.

We have a few more minutes before we end. Perhaps we are done but, if there are any other points that any of the witnesses wants to raise about NPF4 that have not been highlighted in the questions that we have asked, please put an R in the chat function.

Caroline Brown has put an R in the chat. Please tell us some more.

Dr Brown: I will pick up the point about flooding. Leigh Sparks made the point about catchments. Instead of just thinking about the town centre in isolation, we need to think about the catchment. That is where NPF4 is quite helpful, because it talks about blue and green infrastructure. A really important word that I wanted to mention, which I think has not been talked about enough, is retrofit. It ties in completely with the earlier point about the proportion of the current built environment that will still be here in 2045—about 85 per cent. We have to upgrade the existing built environment, and that includes dealing with surface water issues through the addition of rain gardens and other green infrastructure and blue infrastructure.

The way that we manage water in the built environment is really important and it affects those bigger flooding questions. It may make some sites much easier to continue using. We have to recognise, again, that some sacrifices will have to be made. There will be sites that we cannot develop safely without radical re-imagining. We can look to the Netherlands and other places for examples of floating buildings, buildings on stilts and so on.

Sheffield has some nice examples of architecture with ground-floor garages that have living or retail space above them so that, in a flood event, the low-value parts of the building, with cars and so on, are flooded but the high-value parts of the building are not. That is the kind of thing that can be done.

Retrofit is really important—we need to think about how we link new development to the

upgrading of existing development. The draft NPF4 includes the requirement for rapid decarbonisation of our homes; we cannot meet that decarbonisation requirement by simply focusing on new builds. We have to retrofit, and to do that, we require money and investment—potentially using our infrastructure levy as a way to upgrade existing built stock.

I will finish there so that the others can come in but I just wanted to mention retrofit—it is a really important word that we need to grapple with. Like other speakers, I am not sure that that is currently reflected in the draft.

The Convener: That is a brilliant point to bring up. I have definitely been grappling with retrofit lately myself.

Professor Hague: I think that the discussion on flooding in city centres raises a lot of other points.

One reason for flood risk is external climate change, which is difficult for us to have much impact on locally. However, we have also sealed lots of land through out-of-town retailing, large car parks, and housing developments that do not have sustainable urban drainage systems. That has all increased the run-off that hits the town centre downstream. That has happened under the watch of a planning system that has been there for 80 years.

We cannot carry on as we have been. There has to be change. I go back particularly to the housing section in NPF4 in relation to that. We need to look at the whole water catchment system to tackle the fate of Kilmarnock town centre, for example.

Finally, there was a question in the first session about human rights. United Cities and Local Governments has a world charter on human rights in the city and—to promote a publication that I worked on—there is also “Leading Change: Delivering the New Urban Agenda through Urban and Territorial Planning”, from the South African Local Government Association, the South African Government and UN-Habitat. It includes a chapter about human rights in the city. I am happy to provide a summary of that to the member who asked about human rights—I cannot remember who it was now. It is a really important issue, not least the right to adequate housing.

The Convener: Thank you, that was great. It was Elena Whitham who asked the question, but we are all interested, so we would be grateful if you could provide that to the committee. Thanks for pointing us to the United Cities and Local Governments charter as well—that is brilliant.

Professor Sparks: I have a final thought following the discussion about retrofitting and other things. This might not strictly relate to NPF4,

but we need to ensure that the costs of retrofitting and doing the other things that we want to do in town centres are better relatively than the costs of out-of-town development and new builds. We do not have that cost balance right, so we need the right incentives and disincentives.

There is an awful lot of talk about the incentives and encouragements, but we need to be much stronger and more active on the disincentives in order to discourage the things that we do not want to happen. That might include things that have already been built. Cliff Hague’s point about floods coming from out of town—we have put asphalt everywhere—is a good illustration of that. We have caused those problems over the past 50-plus years, and we now need to start to use our powers to change behaviours and the things that already exist, as well as stopping new adverse things from happening.

The Convener: As a Highlands and Islands MSP, I am grappling with planning policy having to try to catch up with our new understanding of peatland, for example. Projects on peatland received planning consent perhaps a few years ago, when we did not really understand how peatland can help us with our carbon emissions if we look after it well. We need to consider whether we need to call a halt on projects that are going ahead and reconsider what we are doing.

I thank the witnesses for spending time with us this morning—we have gone into the afternoon. The evidence has been very useful. I wish that we had time to hear all your one-hour lectures on the various topics that you know so much about. In the coming years, we might see you again for other evidence sessions.

Subordinate Legislation

Council Tax (Dwellings and Part Residential Subjects) (Scotland) Amendment Regulations 2021 (SSI 2021/489)

12:31

The Convener: Our second agenda item is consideration of the Council Tax (Dwellings and Part Residential Subjects) (Scotland) Amendment Regulations 2021. The instrument is subject to the negative procedure, so there is no requirement for the committee to make any recommendations on it.

As no member wishes to comment on the instrument, does the committee agree that it does not wish to make any recommendations in relation to the instrument?

Members *indicated agreement.*

The Convener: As part of our approach to NPF4, we will now consider the evidence that we have just heard in private.

12:33

Meeting continued in private until 12:52.

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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