

Citizen Participation and Public Petitions Committee  
Wednesday 19 March 2025  
5th Meeting, 2025 (Session 6)

## PE2075: Prioritise local participation in planning decisions

### Introduction

**Petitioner** Stewart Noble on behalf of Helensburgh Community Council

**Petition summary** Calling on the Scottish Parliament to urge the Scottish Government to prioritise local participation in planning decisions affecting their area by:

- providing a clear and unambiguous definition of the word "local" insofar as it applies to planning legislation
- giving decision-making powers to community councils for planning applications in their local areas
- ensuring that the way in which decisions on planning applications are taken is compatible with the provisions and ethos of the Community Empowerment Act 2015.

**Webpage** <https://petitions.parliament.scot/petitions/PE2075>

1. [The Committee last considered this petition at its meeting on 1 May 2024.](#) At that meeting, the Committee agreed to write to the Royal Town Planning Institute, the Heads of Planning Scotland, Planning Democracy, Built Environment Forum Scotland, the Scottish Forum of Community Councils, and the Scottish Government.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new written submissions from the Scottish Forum of Community Councils, the Scottish Government, Heads of Planning Scotland (HOPS), and the Royal Town Planning Institute Scotland (RTPI), which are set out in **Annexe C**. The Built Environment Forum Scotland (BEFS) declined to provide a formal response on this occasion.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage.](#)
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial position on this petition on 31 January 2024.](#)

7. Every petition collects signatures while it remains under consideration. At the time of writing, 207 signatures have been received on this petition.
8. Members may wish to note that [the Scottish Government published guidance on Effective Community Engagement in Local Development Plans in December 2024.](#)

## **Action**

9. The Committee is invited to consider what action it wishes to take.

**Clerks to the Committee**  
**March 2025**

## **Annexe A: Summary of petition**

### **PE2075: Prioritise local participation in planning decisions**

#### **Petitioner**

Stewart Noble on behalf of Helensburgh Community Council

#### **Date Lodged**

20 December 2023

#### **Petition summary**

Calling on the Scottish Parliament to urge the Scottish Government to prioritise local participation in planning decisions affecting their area by:

- providing a clear and unambiguous definition of the word "local" insofar as it applies to planning legislation
- giving decision-making powers to community councils for planning applications in their local areas
- ensuring that the way in which decisions on planning applications are taken is compatible with the provisions and ethos of the Community Empowerment Act 2015.

#### **Previous action**

In 2018, we wrote to Argyll & Bute Council requesting a review of its Planning Committee, but no action resulted.

In 2021, we submitted a Community Participation Request to Argyll & Bute Council. This led to a meeting and exchange of emails with the Council's chief executive and an executive director, however, no change resulted.

In 2022 we wrote to and received an email of support from Jackie Baillie MSP.

#### **Background information**

Due to Argyll & Bute being a large and sparsely populated area, the Council has 4 Area Committees for localised decision-making, however, the Planning Committee has councillors from all 4 of these areas.

In recent years, 3 controversial Helensburgh planning applications have been decided by the Planning Committee. All 3 were opposed by Helensburgh Community Council and by the majority of Helensburgh and Lomond Area councillors serving on the Planning Committee. Nevertheless, they were passed by a majority of councillors from other areas, none of whom could be considered truly local.

**CPPP/S6/25/5/8**

In our discussions with the chief executive and executive director of the Council, our proposals were dismissed because of the "quasi-judicial" nature of the planning process.

Helensburgh Community Council feels that our role as a statutory consultee has in practice been a statutory right to be ignored – contrary to the Community Empowerment Act. Hence the need for this petition.

## **Annexe B: Extract from Official Report of last consideration of PE2075 on 1 May 2024**

**The Convener:** Our next petition is PE2075, which was lodged by Stewart Noble, on behalf of Helensburgh community council. Stewart joins us in the gallery—welcome. The petition calls on the Scottish Parliament to urge the Scottish Government to prioritise local participation in planning decisions that affect the local area by providing a clear and unambiguous definition of the word “local”, in so far as it applies to planning legislation; giving community councils decision-making powers for planning applications in their local areas; and ensuring that the way in which decisions and planning applications are taken is compatible with the provisions and ethos of the Community Empowerment (Scotland) Act 2015.

In the background information on the petition, Helensburgh community council highlights the example of planning applications that affected Helensburgh being approved despite opposition from the community council and a majority of local ward councillors on the planning committee. The SPICe briefing, to which I referred a moment ago, sets out the process for determining planning applications, which includes the requirement for planning authorities to provide community councils with a weekly list of applications for developments in their areas. A planning authority must also consult community councils on proposed developments that are likely to affect the amenity of their area.

In its response to the petition, the Scottish Government notes the consultation that has taken place on “Effective Community Engagement in Local Development Planning Guidance”, as well as the recent amendments that were made by the Planning (Scotland) Act 2019 to increase the opportunities for individuals and community bodies to engage in the planning process, including by preparing local place plans for their own areas.

In addition, the Scottish Government has suggested that extending powers to determine planning applications to community councils would require comprehensive revisions to existing legislation, and that the Government is not minded to consider such a fundamental change to the planning system at this time.

We have received a submission from the petitioner in response to the Scottish Government’s response, in which the community council expresses concern that the “engagement” and “participation” that are referred to are simply part of a box-ticking exercise. The petitioner has also clarified that his proposal for providing community councils with decision-making powers on planning decisions would involve a number of community councillors becoming members of local authority planning committees, with full voting powers, to assist in determining planning applications in their area.

We are joined by Jackie Baillie, as we are again considering a petition that is of interest to her community and constituents. I am happy to invite her to address the committee.

**Jackie Baillie (Dumbarton) (Lab):** Thank you for giving me the opportunity to speak on the petition.

I share many of the petitioner's frustrations. I think that the petition is born out of frustration, given that the community council has attempted to engage meaningfully with the planning system in Argyll and Bute, sometimes to little notable effect. A useful piece of context that is noted in the petition is the fact that Helensburgh is closer to Edinburgh than it is to many other parts of Argyll and Bute. As members will know, Argyll and Bute is a very rural area that includes 20-odd islands, so it is not without its challenges.

The petitioner's experience has been that the very reasonable suggestions that the community council has made have been considered by committees of councillors who simply do not have any relationship with or understanding of the community of Helensburgh. Often, those councillors are representatives of rural and island areas, whereas Helensburgh is predominantly an urban population whose travel-to-work area is in greater Glasgow, so there is a different context there.

Let me give you some of the examples where the community council has engaged and that engagement has resulted in absolutely nothing happening. In all the examples that I will give you, the community council did not oppose the application but suggested a different way of doing it or some conditions that should be applied based on its local knowledge.

In the first case, the community council was clear that housing could go ahead on the former Ardencaple garden centre site but that the number of houses was well in excess of the number specified in the local development plan. That was a case of the community council saying "Yes, by all means, put houses there, but not in the quantity that is being squeezed into a very tight site."

The second example is a care home in the former works depot of Hermitage park, for which one of the community council's concerns was the scale of the development, which might have impacted on a war memorial that was right next door to it.

The third example is the leisure centre, which is beautiful but is on the pier at Helensburgh on infilled land, which is prone to flooding. The community council therefore had an eminently sensible suggestion of moving the centre away from that area, but it was completely dismissed.

The petitioner is proposing not that community councils take all these decisions over but that their local knowledge is somehow inserted into the planning system, so that we get better decisions that are not about stopping development but about ensuring that it is right for the right place in their community.

I am sure that the committee will have ideas. Writing to the Royal Town Planning Institute or Planning Aid, which will have experience of these types of applications, might be an option.

**The Convener:** Thank you, Ms Baillie. We have a suggestion to write to the Royal Town Planning Institute. Do colleagues have any other suggestions to make?

**David Torrance:** It is good to see Jackie Baillie back at the committee.

I suggest that the committee writes to the Royal Town Planning Institute, Heads of Planning Scotland, Planning Democracy, Built Environment Forum Scotland, and the Scottish Forum of Community Councils to seek their views on the actions that are called for in the petition. Would the committee also consider writing to the Scottish Government to seek an update on the progress to finalise the guidance on effective community engagement in the local development planning process?

**The Convener:** We have suggestions there. Are committee members agreed?

**Members *indicated agreement.***

**The Convener:** We will thank the petitioner and keep the petition open. We will now embark on our quest to receive further comment and evidence. Thank you very much to Jackie Baillie, as well.

## **Annexe C: Written submissions**

### **Scottish Forum of Community Councils written submission, 3 June 2024**

#### **PE2075/C: Prioritise local participation in planning decisions**

The Scottish Forum of Community Councils in general supports the devolution of decision making to communities and Community Councils and has expressed that view in the recent Democracy Matters 2 consultation undertaken by the Scottish Government.

We believe that Community Councils should be given more responsibility in relation to their existing involvement with local planning applications. Planning applications which only affect one community should be considered and decided on by that community.

We also support the efforts of some Local Authorities to enhance local democracy through ward-based subcommittees. However, these committees should be composed exclusively of elected councillors from the respective areas, ensuring decisions are made by those directly accountable to the community.

There are regular examples of issues coming before Scottish Council Executive Committees that relate to only one ward or area where there are no councillors from that ward represented on the Executive Committee. This reveals a democratic deficit in the current system, often due to political manoeuvring that prioritises party interests to retain decision making to themselves and exclude the opposition. Devolving some responsibility to local areas or wards on local issues would give those councillors a democratic role in their communities and enhance community representation.

The issue of the "quasi-judicial" nature of the planning process can be addressed by the council through its standing orders by devolving that power to a sub or ward committee. After all, many routine planning applications are currently devolved to officers, under the Council's Delegated to Officers arrangements.

Planning applications vary in size and complexity from strategic to routine affecting many people or just a few. Consequently, it would be relatively simple to devise a matrix that would allocate the decision to A) The full planning committee, B) a ward planning committee, C) a Community Council, or D) a Planning Officer.

We recognise that an increase in responsibilities for Community Councils probably needs legislation from the Scottish Government as not one Scottish Council has increased responsibilities for any Community Council in the fifty years of their existence. Yet they all profess to be in favour of community decision making.

Helensburgh Community Council rightfully raises a crucial question: Does true local democracy exist in Scotland?

We support the actions called for by Helensburgh Community Council as it is consistent with our view on local participation and community empowerment.

## **Scottish Government written submission, 4 June 2024**

### **PE2075/D: Prioritise local participation in planning decisions**

Thank you for the letter to the Scottish Government's Planning, Architecture and Regeneration Division about the petition mentioned above. The Committee asked for an update on progress to finalise the effective community engagement in local development planning guidance.

I can advise that work is continuing on the final approach to the guidance, anticipated to be published later this year. We undertook a workshop about the guidance with some members of the Scottish Government's Engagement Working Group in February. We have also received information from work Scottish Government commissioned from the Scottish Youth Parliament. We are actively considering this information, in addition to responses to the public consultation, in finalising the guidance.

I hope this information is helpful.

### **Local Government and Communities Directorate**

## **Head of Planning Scotland (HOPS) written submission, 12 December 2024**

### **PE2075/E: Prioritise local participation in planning decisions**

The HOPS Executive noted that the petition calls for a fundamental change in primary legislation. Due to this, the local authorities present at the Executive would be unable to provide a position at this time.

## **Royal Town Planning Institute (RTPI) Scotland written submission, 18 December 2024**

### **PE2075/F: Prioritise local participation in planning decisions**

Many thanks for your letter and your patience in waiting for our response. Please accept our apologies for missing your earlier correspondence.

We have looked into the petition and the suggestions therein: defining local in so far as it applies to planning legislation; giving community councils decision-making powers relation to planning applications; and ensuring that the way in which decisions and planning applications are taken is compatible with the provisions and ethos of the Community Empowerment (Scotland) Act 2015.

The Institute is supportive of community engagement in the planning process, and we note the existing requirements for local planning authorities to inform Community Councils and the considerable volume of good practice guidance that exists about broader community engagement. Whilst we understand the petitioners are concerned with planning decisions, we would point out that the involvement of Community Councils and residents in the planning system is not confined to development management (planning applications). Engagement in the plan-making

process, whether for a new development plan or a local place plan, is an important mechanism for communities to share their aspirations and shape future development. Community Councils have a role to play in statutory plan-making, and should consider this another way of influencing planning decisions in the longer-term.

We note the language and concerns about community engagement being a box-ticking exercise. We know from our members that guidance and policy principles can be interpreted very differently from place to place. Whilst there are examples of community engagement which is tokenistic and performative, there are also wonderful examples of very meaningful community engagement practices being carried out across Scotland. For example [Fraserburgh Beach Masterplan won RTPI awards](#) both in Scotland and in the national (UK) final, and [Live Life Morvern was overall winner of the Scottish Planning Innovation Award 2024](#). The outcomes of these award-winning projects demonstrate the additional value that comes from community engagement in plan-making.

Returning to the substance of the petition, RTPI Scotland does not support the definition of local within the planning system since the impacts and effects of a development may be felt at many different spatial scales, depending on the type of development and the local context. Defining local could result in some groups being or feeling excluded from participation, which we would not support – and we do not think that this would be the intention of the petitioners.

The role of Community Councils in the scrutiny of planning applications is well-established, but we do not see any justification for the relocation of decision-making powers from local authorities to Community Councils. This would have legal, administrative, training and resource implications. Whilst we recognise the frustration of the petitioners based on their experiences to date, that does not – in our view – justify devolution of those powers away from the universal democratic structures of local government.

On the compatibility between planning decision making and the Community Empowerment (Scotland) Act 2015, we do not have any evidence that these are currently in tension or that there are any specific difficulties. The Institute supports evidence-based policy making, and is happy to support proposals to improve processes and practices where there is underpinning data.

Finally, we note from the transcript that the petitioners have been frustrated that consent for planning projects has been granted despite their objections, and their attempts to engage proactively in the system have yielded no results. We would encourage the Community Council to continue with this work and to persist with their efforts. Whilst it can feel very disheartening for consent to be granted on a project where a community has objected, those objections may shape conditions attached to the consent, and may shape subsequent pre-application discussions. Influence is not only to be measured in the number of applications that are refused.