

Ms Sandra Carey
Scottish Executive
Planning Division
Victoria Quay
Edinburgh
EH6 6QQ

E-mail: planningandsusdev@scotland.gsi.gov.uk

Our Ref: LS/139/sc/eb

Your Ref: POL/6208

27 June, 2007

Dear Ms Carey

Statutory Guidance on Planning and Sustainable Development - Consultation Paper

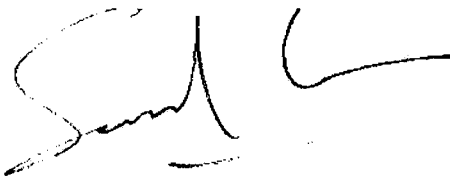
The Planning Law Sub-Committee of the Law Society of Scotland ("the Committee") discussed the above consultation paper and wishes to make the following brief comments.

The Committee believes that the Statutory Guidance constitutes an opportunity to make a useful contribution to the definition of "sustainability". However, the Committee believes that the Guidance is unduly lengthy and may, at certain points, be criticised as being insufficiently precise - sometimes appearing to attempt to be "all things to all people". This may mean that attempting to include the Guidance in day-to-day practice would impose a considerable burden on planning authorities. The Committee suggests that in order to help alleviate this burden, clear examples should be provided throughout the Guidance and clear performance indicators should be detailed.

The Committee also wishes to comment specifically on paragraph 13, concerning matters to be taken into account by planning authorities when drawing-up development plans. This paragraph does not mention the use of scientific evidence and it is suggested that this is a significant omission.

I hope that these comments are useful.

Yours sincerely,

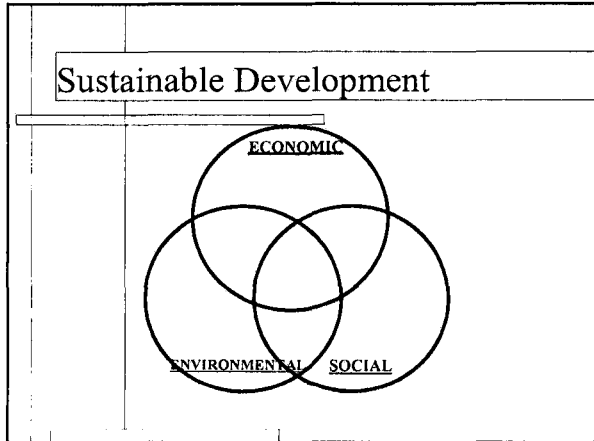


Samuel Conary
Law Reform Officer



Introduction to sustainability policy and reporting in other sectors

Tim Birley
Tim Birley Consultancy for CaSPr

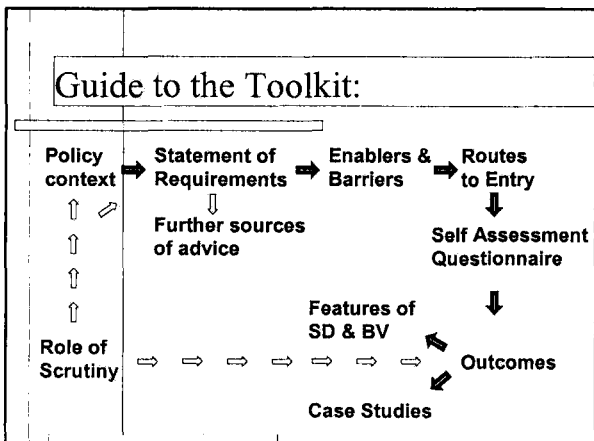


Defining Sustainable Development

“Sustainable development is commonly defined as being development which serves a balance of social, economic and environmental well-being in the impact of activities and decisions, and which seeks to meet the needs of the present without compromising the ability of future generations to meet their own needs.” (Statutory Guidance)

- ### Policy Context:
- **Sustainable Development:**
 - *Choosing Our Future: Scotland's Sustainable Development Strategy*, December 2005
 - **Best Value:**
 - Local Government in Scotland Act 2003
 - Wider public sector:
 - Updated High Level and Secondary Guidance on Best Value, May 2006
 - Good Practice Toolkit, September 2006
 - **Planning Scotland Bill**
 - **European Structural Funds**

- ### Statement of Requirements: Local Government/Wider Public Sector
- Leadership and commitment
 - Embedded in all objectives and plans at corporate and operational level
 - Communities / Consultation & joint working
 - Quality of Life Indicators / Performance measures
 - Review activities
 - Procurement
 - Management of resources



Push Factors

- Duty on Accountable Officers
- Scottish Public Finance Manual
- Scottish Sustainable Development Strategy
- Statute (for some)
- Requirement for European support
- Community planning
- Subject to Audit

Mainstreaming Sustainable Development

- ESEC/WoSEC (2005) Seminar's views
 - Potential Advantages
 - Encourages partnership & joined-up approach
 - VFM: more effective use of resources
 - Awareness raising
 - Better quality & more durable outcomes
 - Learning opportunity
 - Disadvantages to avoid
 - Lack of ownership and commitment
 - Difficult, complex and risks 'tick box' approach
 - Risks losing focus & conflicting priorities
 - Perceived costs
 - May inhibit opportunities
 - Difficult to measure

Routes to Entry:

- Leadership & champions
- Corporate initiative
- Community planning
- Performance & output indicators
- Policy review; SEA
- Procurement strategy
- Spending review; asset management
- Demonstration

Highland Council: Cllr Ian Ross

- Realities
 - Perceived relevance of S.D.
 - Consider the operating context - "SPS"
 - Another "burden"
 - General awareness of elected members and senior officials
 - Pressure of economic imperatives and short-termism
 - Rhetoric over substance and real impact
 - *BUT some examples of very good practice and commitment*

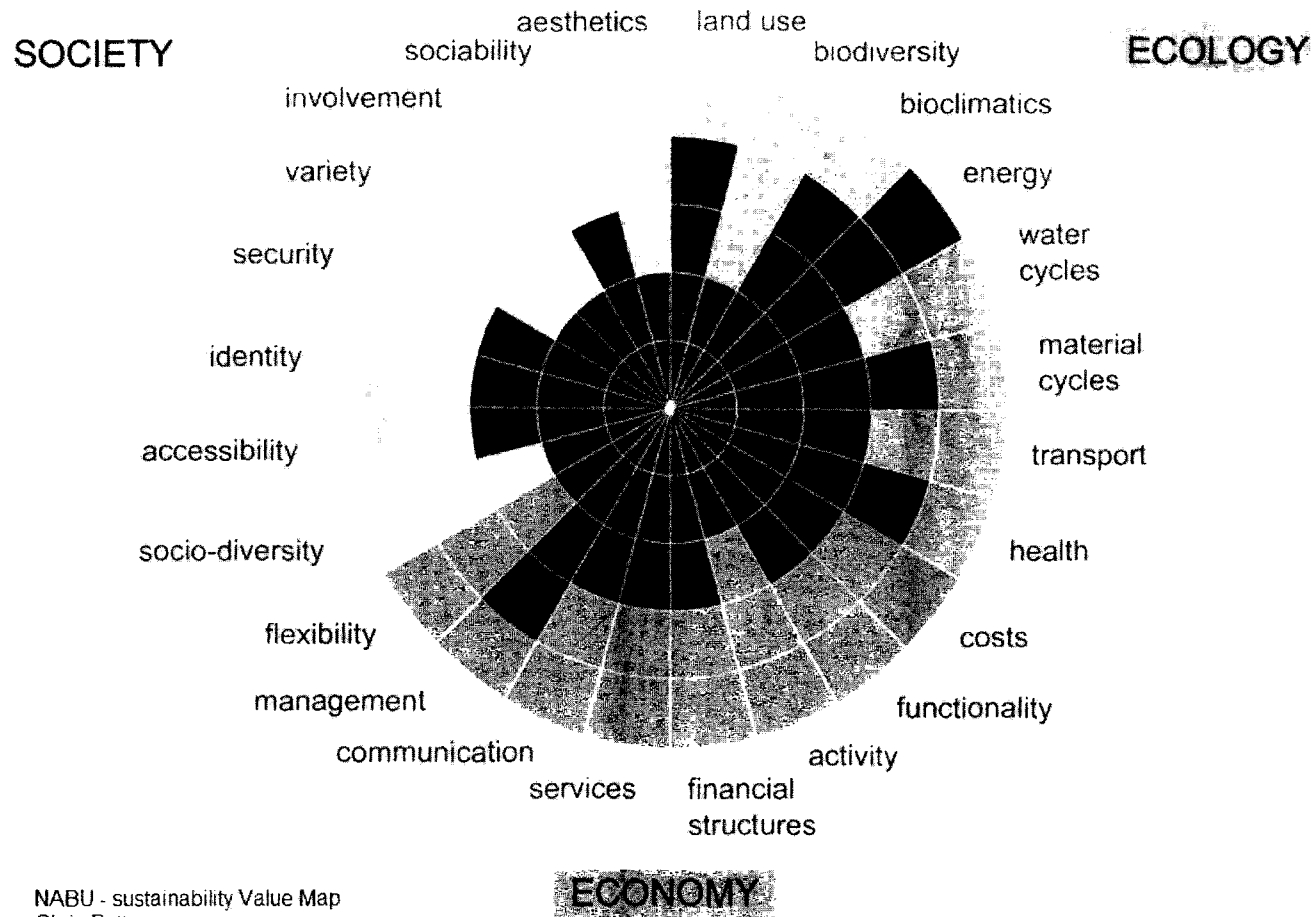
Potential

- Existing good practice
- Latent activity
- Indicators & measures
- Mainstreaming - becoming natural
- Support and learning
- Better: joined-up governance

Potential: Miles Better

- Mainstreaming - becoming natural
- Indicators & measures
- Latent activity
- Existing good practice
- Support and learning
- Better: joined-up governance

Sustainability Value Map



NABU - sustainability Value Map
Chris Butters

**The Value Map
of sustainability**

**ECOLOGY
ECONOMY
SOCIETY**

**Chris Butters / GAIA
International Consultants**

**with NABU –
Norwegian Architects for
Sustainable Development**

**The Value Map visualises the goal that *all* architecture and city
planning should fulfil the three conditions of sustainability**



Chris Butters

GAIA International