

# North Lanarkshire Council Report

## Council

Does this report require to be approved?

☒ Yes ☐ No

Ref LB

Date

28/03/24

## Clydeplan and Regional Spatial Strategy Governance Arrangements

From Chief Officer (Place)

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Telephone

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### Executive Summary

The purpose of this paper is to notify Council of proposed new governance structures to continue progress on a collaborative approach to regional planning following the publication of National Planning Framework 4 (NPF4).

### Recommendations

It is recommended that the Council:-

- 1) Note the recommendation of the Clydeplan Joint Committee to transfer responsibility for the development of a Regional Spatial Strategy to the Glasgow City Region Cabinet;
- 2) Note Glasgow City Region Cabinet's approval of the establishment of a new Regional Spatial Planning Sub Committee to oversee the development of a Regional Spatial Strategy;
- 3) Note that approval of participation in any future Regional Spatial Strategy will remain a decision for North Lanarkshire Council;
- 4) Agree to formally withdraw from the Clydeplan Joint Committee and transfer requisition funding to Glasgow City Council as lead authority for the Glasgow City Region;
- 5) Request an update on progress within 12 months

### The Plan for North Lanarkshire

Priority	Improve economic opportunities and outcomes
Ambition statement	(5) Grow and improve the sustainability and diversity of North Lanarkshire's economy
Programme of Work	Transforming Places

## **1. Background**

- 1.1 The introduction of National Planning Framework 4 (NPF4) removes the requirement to produce a Statutory Development Plan and replaces it with a duty to prepare a non-statutory Regional Spatial Strategy (RSS).
- 1.2 Since 1996 the eight Glasgow City Region local authorities have worked together to develop a series of regional spatial plans, the most recent being the Clydeplan Strategic Development Plan ("SDP"), which was approved by Scottish Ministers in July 2017.
- 1.3 The previous SDP set out a Vision and Spatial Development Strategy from now until 2036, suggesting where new development should be located and a policy framework that helps deliver sustainable economic growth through the creation of high quality development which seeks to reduce inequalities and enhances the quality of life in Glasgow City Region. The SDP also set the strategy and policy context for the individual local authority Local Development Plans.
- 1.4 This is no longer extant since the introduction of NPF4 and has been replaced by the requirement to prepare an RSS.

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## **2. Report**

- 2.1 Clydeplan has been governed by a Joint Committee for the purpose of representing them in carrying out the functions conferred upon them under Sections 4 to 14 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act and have each passed the necessary resolution for giving effect to this Agreement. Renfrewshire Council provides support functions for the Joint Committee on behalf of the Member Authorities.
- 2.2 The Clydeplan Joint Committee has previously agreed that work should be undertaken to explore the future governance arrangements for the performance of the functions undertaken by the Joint Committee particularly in relation to the new duty on local authorities in relation to strategic planning as part of the Planning (Scotland) Act 2019, namely, to prepare a Regional Spatial Strategy
- 2.3 Unlike the current Strategic Development Plan the Regional Spatial Strategy will not form part of the statutory Development Plan which will now comprise the National Planning Framework and the Local Development Plan.
- 2.4 Given these changes it was acknowledged that the role and remit for which the Glasgow and Clyde Valley Strategic Development Planning Authority Joint Committee was originally established will significantly change and therefore the future role of the Committee required to be reviewed. Members will recall that the decision was taken on 21 December that the Council should withdraw from the Glasgow and ClydeValley Joint Committee and the requires two year notice period for that withdrawal will commence on 31 March 2024.
- 2.5 The Joint Committee itself has recommended to its members that the functions transfer to the Glasgow City Region, with GCR Cabinet overseeing the development of the RSS. At its meeting on 12<sup>th</sup> February 2024, the Cabinet agreed to establish a Regional Planning Sub Committee to discharge this function, subject to approval by the 8 Local Authorities through their own local democratic structures. This Sub Committee will be made up of two elected members from each of the authorities.

- 2.6 The attached paper, setting out the proposed new working arrangements, was approved by Cabinet and approval is now sought from the Council to transfer responsibility for Regional Planning to the GCR Cabinet.

### **Proposed future approach**

- 2.7 The attached paper sets out the proposed approach to future collaboration, based on three fundamental principles, namely:
- A collaborative approach to regional spatial planning with all members being equal;
  - Integration with wider regional activity to maximise impact; and, fundamentally
  - The need for local democratic accountability with no local authority being bound by any decision they cannot support
- 2.8 To achieve this, the new Sub-Committee will not have decision making powers and will oversee the development of an RSS for the region. This will then be presented to the 8 Local Authorities for consideration, with Cabinet simply noting the approved document. This ensures that approval sits with local democratic structures whilst collaboration is facilitated through regional ones.
- 2.9 The Joint Committee agreed to recommend this approach at its meeting on 24<sup>th</sup> January 2024, as did GCR Cabinet on 12<sup>th</sup> February 2024.
- 2.10 Under the new arrangements, North Lanarkshire Council will remain accountable and responsible for all planning decisions within the area.
- 2.11 North Lanarkshire Council currently pays a requisition of £68,375 to support staff and associated costs. For 2023/24 there was a reduction of the contribution by £15,000 and by £25,000 for 2024/25. It is proposed that this funding is transferred along with the Clydeplan and Green Network Partnership staff to Glasgow City Council as lead authority for the Glasgow City Region. This will be managed through regional structures with the Finance Strategy Group consisting of the 8 Finance Directors overseeing the budget and reporting to the 8 Chief Executives. The final budget for the Regional Spatial Planning Sub-Committee will be approved by Cabinet on an annual basis.
- 2.12 Appropriate due diligence will be carried out by Glasgow City Council and Renfrewshire Council to ensure the transfer of assets. Any reserves will be returned to the constituent authorities following conclusion of the process.

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### **3. Measures of success**

- 3.1 The eight Glasgow City Region Councils will continue work together successfully to produce a Regional Spatial Strategy setting out the strategic development priorities, overseen by the Regional Planning Sub-Committee.

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### **4. Supporting documentation**

Appendix 1 - Glasgow City Region – City Deal Cabinet – Regional Spatial Planning Arrangements 12<sup>th</sup> February 2024

A handwritten signature in black ink, appearing to read 'P. Humphries'.

**Pamela Humphries**  
**Chief Officer (Place)**

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## 5. Impacts

<b>5.1 Public Sector Equality Duty and Fairer Scotland Duty</b> Does the report contain information that has an impact as a result of the Public Sector Equality Duty and/or Fairer Scotland Duty? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?  If Yes, has an assessment been carried out and published on the council's website? <a href="https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments">https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments</a> Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>5.2 Financial impact</b> Does the report contain any financial impacts? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant financial impacts been discussed and agreed with Finance? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?
<b>5.3 HR policy impact</b> Does the report contain any HR policy or procedure impacts? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant HR impacts been discussed and agreed with People Resources? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?
<b>5.4 Legal impact</b> Does the report contain any legal impacts (such as general legal matters, statutory considerations (including employment law considerations), or new legislation)? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, have all relevant legal impacts been discussed and agreed with Legal and Democratic? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?
<b>5.5 Data protection impact</b> Does the report / project / practice contain or involve the processing of personal data? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, is the processing of this personal data likely to result in a high risk to the data subject? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, has a Data Protection Impact Assessment (DPIA) been carried out and e-mailed to <a href="mailto:dataprotection@northlan.gov.uk">dataprotection@northlan.gov.uk</a> Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>5.6 Technology / Digital impact</b> Does the report contain information that has an impact on either technology, digital transformation, service redesign / business change processes, data management, or connectivity / broadband / Wi-Fi? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?

<p>Where the impact identifies a requirement for significant technology change, has an assessment been carried out (or is scheduled to be carried out) by the Enterprise Architecture Governance Group (EAGG)?</p> <p>Yes    <input type="checkbox"/>                      No                      <input type="checkbox"/></p>
<p><b>5.7 Environmental / Carbon impact</b></p> <p>Does the report / project / practice contain information that has an impact on any environmental or carbon matters?</p> <p>Yes    <input type="checkbox"/>                      No                      <input type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p>
<p><b>5.8 Communications impact</b></p> <p>Does the report contain any information that has an impact on the council's communications activities?</p> <p>Yes    <input type="checkbox"/>                      No                      <input type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p>
<p><b>5.9 Risk impact</b></p> <p>Is there a risk impact?</p> <p>Yes    <input type="checkbox"/>                      No                      <input type="checkbox"/></p> <p>If Yes, please provide a brief summary of the key risks and potential impacts, highlighting where the risk(s) are assessed and recorded (e.g. Corporate or Service or Project Risk Registers), and how they are managed?</p>
<p><b>5.10 Armed Forces Covenant Duty</b></p> <p>Does the report require to take due regard of the Armed Forces Covenant Duty (i.e. does it relate to healthcare, housing, or education services for in-Service or ex-Service personnel, or their families, or widow(er)s)?</p> <p>Yes    <input type="checkbox"/>                      No                      <input type="checkbox"/></p> <p>If Yes, please provide a brief summary of the provision which has been made to ensure there has been appropriate consideration of the particular needs of the Armed Forces community to make sure that they do not face disadvantage compared to other citizens in the provision of public services.</p>
<p><b>5.11 Children's rights and wellbeing impact</b></p> <p>Does the report contain any information regarding any council activity, service delivery, policy, or plan that has an impact on children and young people up to the age of 18, or on a specific group of these?</p> <p>Yes    <input type="checkbox"/>                      No                      <input type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact and the provision that has been made to ensure there has been appropriate consideration of the relevant Articles from the United Nations Convention on the Rights of the Child (UNCRC).</p> <p>If Yes, has a Children's Rights and Wellbeing Impact Assessment (CRWIA) been carried out?</p> <p>Yes    <input type="checkbox"/>                      No                      <input type="checkbox"/></p>



Glasgow City Region – City Deal

Cabinet

Report by Director of Regional Economic Growth

Contact: Kevin Rush (0141 287 4613)

Item

## Regional Spatial Planning Arrangements

### Purpose of Report:

The purpose of this paper is to propose a revised governance structure for the oversight of the development of a Regional Spatial Strategy (RSS) for the Glasgow City Region (GCR) following the recommendation of the Clydeplan Joint Committee in June 2023 to transfer responsibility to the GCR Cabinet.

### Recommendations:

Cabinet is asked to:

- Note the report;
- Agree to the establishment of a new Planning Sub-Committee with **approval** of a Regional Spatial Strategy resting with the individual Member Authorities; and
- Agree this approach through their own democratic structures at the earliest opportunity.

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### Introduction

1. The purpose of this paper is to propose a revised governance structure for the oversight of the development of a Regional Spatial Strategy (RSS) for the Glasgow City Region (GCR) following the recommendation of the Clydeplan Joint Committee in June 2023 to transfer responsibility to the GCR Cabinet.
2. The proposal requires endorsement from the GCR Cabinet and the 8 constituent Member Authorities prior to implementation.

### Background and the growth of City Regions

3. Increasingly the role of city regions, through the establishment of City Deals and Regional Economic Partnerships, are emerging as the key mechanism for the delivery on a number of important agendas including: economic development, City Deals, climate change, environmental improvement and strategic planning.
4. In this context the new duty to prepare a Regional Spatial Strategy is key in planning for the future development of the Glasgow City Region.
5. Since 1996 the eight Glasgow City Region local authorities have worked together to develop a series of regional spatial plans, the most recent being the Clydeplan Strategic Development Plan ("SDP"), which was approved by Scottish Ministers in July 2017.
6. The previous SDP set out a Vision and Spatial Development Strategy from now until 2036, suggesting where new development should be located and a policy framework that helps deliver sustainable economic growth through the creation of high quality development which seeks to reduce inequalities and enhances the quality of life in Glasgow City Region. The SDP also set the strategy and policy context for the individual local authority Local Development Plans.
7. This is no longer extant since the introduction of NPF4, and has been replaced by the requirement to prepare an RSS.
8. Since 2022, the City Region has seen a very significant increase in responsibility and budget devolved to it from both UK and Scottish Governments. This includes a number of programmes which have clear spatial planning elements to them. New programmes now managed through the GCR PMO and overseen by Cabinet include:

Date of Award	Programme	Amount
February 2022	Innovation Accelerator	£33m
August 2022	UK Shared Prosperity Fund	£74m
June 2023	Clyde Mission	£26.5m
June 2023	Investment Zone	£160m
November 2023	5G Innovation Region	£3.2m

9. Given this, a new Head of Place has been appointed to oversee the spatial planning elements of the GCR Programme, including Clyde Mission, the development of a Clyde Masterplan and the Investment Zone. Ross Nimmo, currently Head of Planning and Development at Glasgow Airport, will take up this post on 4<sup>th</sup> March 2024.

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10. There are clear synergies between this exciting new body of work and the development of a Regional Spatial Strategy, and the opportunity to merge teams and governance could generate significant opportunities and efficiencies for the Region.

### Governance Review

11. The Clydeplan Joint Committee has previously agreed that work should be undertaken to explore the future governance arrangements for the performance of the functions undertaken by the Joint Committee particularly in relation to the new duty on local authorities in relation to strategic planning as part of the Planning (Scotland) Act 2019, namely to prepare a Regional Spatial Strategy.
12. Unlike the current Strategic Development Plan the Regional Spatial Strategy will not form part of the statutory Development Plan which will now comprise the National Planning Framework and the Local Development Plan.
13. Given these changes it was acknowledged that the role and remit for which the Glasgow and Clyde Valley Strategic Development Planning Authority Joint Committee was originally established will significantly change and therefore the future role of the Committee required to be reviewed.
14. Following the vote at its June 2023 meeting on a report on future arrangements, the Joint Committee agreed to recommend the following option:

***(a) That the contents of the report be noted;  
(b) That the cessation of strategic development plans be noted; and  
(c) That the preferred option for considering regional spatial strategy planning issues going forward be that existing Clydeplan staff resource be reviewed in light of the new requirements for RSS preparation. Staff would be consulted on a possible TUPE transfer to Glasgow City Council. If transferred, the team would be integrated into the existing city region structures (overseen by the Regional Director) who would take responsibility for preparing an RSS and reporting this through to the GCR Cabinet for approval. This would move the duty to prepare an RSS directly into the city region governance structures.***

15. It should be noted that the individual Member Authorities need to take their own decisions on how they wish to proceed with the development of Regional Spatial Strategies and the Joint Committee's recommendation.
16. Since the June 2023 recommendation, two Councils have expressed views on the future arrangements:
  - In September 2023, Renfrewshire Council approved the following motion:

***“This Council notes the decision of the GCVSDPA (Clydeplan) Joint Committee to recommend passing responsibility for the new Regional Spatial Strategy to the Glasgow City Region Cabinet, however this Council considers it premature to do so at this juncture as no guidance has been issued to date as to the development of the RSS or the governance agreed between the constituent authorities.***

***The staff of the GCVSDPA (who are Renfrewshire Council employees) are greatly valued for their skills and knowledge in this rapidly changing planning***

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*environment and should be fully supported and involved in any proposed changes.*

*The Joint Committee has successfully operated as a directly accountable governance structure to all 8 local authorities regarding regional planning. This council believes that the same principle should apply regarding the development of the new Regional Spatial Strategies (RSS). For it to be equally successful it must be founded in democratically accountable governance structures which encourages neighbouring authorities to collaborate and agree on any strategies that may have an influence on their own local planning policies.*

*Council therefore agrees that the Joint Committee should continue until alternative suitable democratically accountable governance structures are identified, agreed and approved by all constituent authorities for its replacement with responsibility for delivering the new Regional Spatial Strategy”*

- In December 2023, North Lanarkshire Council voted to formally withdraw from the existing Joint Committee and will serve its two year notice from 31<sup>st</sup> March 2024.

17. It is therefore clear that a sustainable future arrangement needs to be found which satisfies the desire for democratically accountable governance, generates efficiencies, develops a mutually agreed Regional Spatial Strategy and delivers on the new programmes devolved to regional level.

### **Proposed way forward**

18. Recognising that consensus will always be sought, the proposal is based on three fundamental principles:
  - A collaborative approach to regional spatial planning with all members being equal;
  - Integration with wider regional activity to maximise impact; and, fundamentally
  - The need for local democratic accountability with no local authority being bound by any decision they cannot support

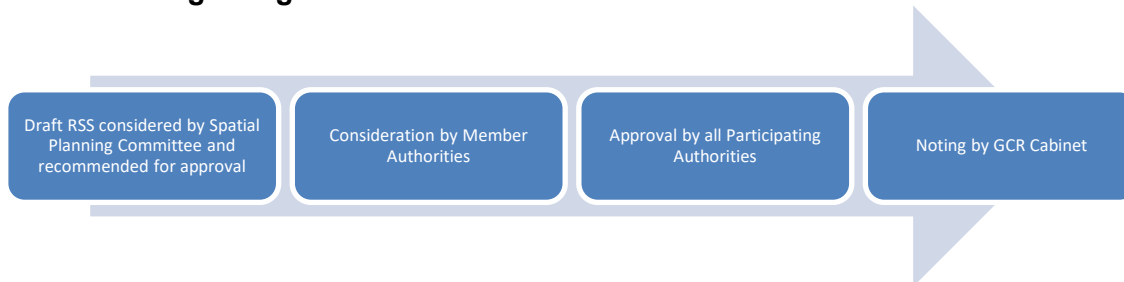
### **Ensuring local democratic accountability for the new Regional Spatial Strategy**

19. To secure local democratic accountability for the new Regional Spatial Strategy it is proposed that a Glasgow City Region Spatial Planning Committee is established as a sub-committee of the Glasgow City Region Cabinet, which is a Joint Committee established under the Local Government (Scotland) Act 1973. Membership will consist of Planning Conveners or equivalent from each of the local authorities. The Chair will be decided by its membership. This Committee will oversee the development of a Regional Spatial Strategy for the Glasgow City Region for approval by the 8 Member Authorities. The Directors /Heads of Service with responsibility for Planning of each council will attend meetings in support of members.
20. This is the model used for the Education Collaborative which has been in operation since 2017.

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21. The Spatial Planning Committee would not have decision making powers and would only make recommendations on the Regional Spatial Strategy for consideration by the 8 Member Authorities to ensure local democratic accountability.
22. Ideally, all 8 Member Authorities would participate in an agreed Regional Spatial Strategy, but this would be a matter for each Council to decide and it is within the gift of any of the members to choose not to support the final strategy.
23. The Cabinet would receive and note the Regional Spatial Strategy but only after **approval** by all participating Member Authorities through their local democratic structures. This is similar to the approach undertaken for recent regional initiatives such as the Shared Prosperity Fund Investment Plan and no RSS could be presented to Cabinet without prior approval from its constituent members.
24. All efforts will be managed to agree consensus amongst the 8 members but a Regional Spatial Strategy is not a statutory document and therefore, no local authority could be bound to adopt an RSS without approval through their own democratic structures. The individual authorities retain the right not to support or be bound by anything contained within the RSS.
25. This approach was discussed at the Clydeplan Joint Committee meeting on 22<sup>nd</sup> January 2024 and there was widespread support for the approach, subject to necessary approvals being sought.

### Process for agreeing new RSS



### Staffing

26. The Spatial Planning Committee would replace the existing Clydeplan Joint Committee and it is anticipated that staff and budgets would transfer into the existing City Region structures, ensuring a more streamlined approach to audit, finance etc. with no requirement for separate arrangements. Following appropriate consultation, the current Clydeplan and Green Network Partnership team would transfer to Glasgow City Council under TUPE regulations (Transfer of Undertakings (Protection of Employment) Regulations 2006) and be based within the City Region PMO section where appropriate management arrangements will be put in place and resilience and support will be available. The new Head of Place would oversee the transfer and be responsible for developing the Regional Spatial Strategy for consideration by members.
27. If this approach was agreed, a paper would need to be taken through all 8 Member Authorities agreeing to the windup of Clydeplan, the establishment of a new Spatial Planning Committee and formalising the requirement for the agreement of all members before an RSS could be presented to Cabinet.

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28. This process would run over the next few months subject to all authorities reaching agreement and due trade union/staff consultation. It is likely that revised governance arrangements may take longer to embed but staffing transfers could progress more quickly.

### Budget

29. The transfer of responsibility and staff to the GCR PMO is likely to generate efficiencies for the Member Authorities, with no requirement for separate office accommodation or IT costs. In addition, the GCR PMO has been effective in generating external funding from both Scottish and UK Governments in recent years for spatial planning related activity, including Clyde Mission and Investment Zone, and it is expected that this will reduce the burden on Member Authorities in future years.

### Recommendation

30. Cabinet is asked to:

- Note the report;
- Agree to the establishment of a new Planning Sub-Committee with **approval** of a Regional Spatial Strategy resting with the individual Member Authorities; and
- Agree this approach through their own democratic structures at the earliest opportunity.