

An article by Professor Michael Pacione, an expert on urban policy and planning, and Chair of Geography at the University of Strathclyde in Glasgow.

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Agenda: A chance to enable proper public participation in local planning

Michael Pacione

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AT a time when the Scottish Government is seeking the greater powers of decision-making over future development that accompany independence, there is reluctance to afford the same rights to local communities within Scotland.

CUSTOM BYLINE TEXT:

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Scottish planning policy emphasises the importance of public participation. In practice, however, participation can range from manipulation (non-participation), to informing and consultation (degrees of tokenism); to partnership, delegated power and citizen control (degrees of real citizen power). Under the current Scottish planning system public participation is most akin to informing and consultation, and participating in a consultation process is not the same as having influence. There is a major dichotomy between the rhetoric of public participation in local planning and the reality of local plan-making in Scotland. The current process of public consultation involved in the exercise on the Draft Planning Policy document falls squarely within traditional informing and consultation parameters.

CONTEXTUAL TARGETING LABEL:

Local government

With a political pre-occupation for efficiency and the Government's belief that delay in decision-making is a brake on the economy, some planning professionals and most developers regard public participation as an additional element in planning rather than a key priority. These attitudes are reflected in the ascribing of dismissive labels to opponents of development as Nimbys (not in my backyard) or "the usual suspects" as a means of delegitimising the views being espoused and defusing opposition. This often leads to the feelings of powerlessness, anger and frustration among local residents.

There is ample evidence that current processes are not working sufficiently to enhance local democracy. If the goal is to enhance public influence in local planning, serious consideration needs to be afforded to different strategies, including re-vitalised community councils; introduction of third party rights of appeal to level the playing field for developers and local residents; extension of the principle of community land ownership allied in some cases with use of compulsory purchase to transfer land to local ownership; and reappraisal of the current right of developers to submit almost continuous planning applications to develop land in contravention of an adopted local plan and against the expressed interests of local politicians and communities.

My own research has identified major dissatisfaction with the way in which the planning consultation process plays out and, in particular, with the overarching conditioning power of central government to set the rules of engagement and, in so doing, to exert a dominant influence on outcomes that impact most heavily on local communities. It is clear that while the structure of the planning system may encourage oppositional participation, planning policy and government support for particular interests make successful opposition increasingly difficult. This violates the principles of citizenship, local democracy and subsidiarity that underpin effective public participation in planning.

The main problem undermining the effectiveness of current public participation strategies in promoting the goals of local democracy arises from the centralisation of the power of decision-making over local development matters. Prior to the previous reorganisation of Scottish planning in 2006 the balance of power in decisions over release of land for development lay with the local authorities, which were able to decide whether or not to adhere to the recommendations of the Reporter. Under the post-2006 system this power to determine local land use issues shifted from elected local councils to a non-elected Government-appointed Reporter whose decisions are binding on the local authority and against which local residents, in contrast to developers, have no right of appeal.

The current process of consultation on a new National Planning Framework and a proposed Community Engagement and Renewal Bill affords the Scottish Government an opportunity to close the gap between the rhetoric and reality of public participation in local planning. Based on past practice, one cannot be confident that this particular thistle will be grasped.

A column for outside contributors. Contact: agenda@theherald.co.uk

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