

Appendix 1 - DEVELOPER CONTRIBUTIONS POLICY – A PARTNERSHIP APPROACH TO DELIVER THE INFRASTRUCTURE REQUIRED TO SUPPORT THE DEVELOPMENT STRATEGY CONTAINED IN THE WEST LOTHIAN LOCAL PLAN – CONSULTATION RESPONSES

SOURCE	DATE	SUMMARY OF COMMENTS	PROPOSED RESPONSE	ACTION REQUIRED
Homes for Scotland	29/5/06	<p>Disappointed at the short timescale for this consultation. There is an increasing emphasis in the emerging Planning Bill on early-stage consultation with stakeholders and the public, so to be given effectively 3 weeks to respond does not seem in keeping with that ethos.</p> <p>Given the stage reached by the Finalised Local Plan, I am unclear why this SPG has been published now and with such haste. It would have seemed logical to publish the SPG earlier in parallel with the plan, in order that objectors to the plan could have considered how the Policies and SPG worked together. Now the position is that objections have been made to the Plan Policies, which require examination at Public Local Inquiry, and it is in my view necessary that this SPG be considered alongside these objections in order for the Reporters fully to understand the implications of the Policies. It would have been preferable to have had this draft SPG much sooner so that the Council had an opportunity to resolve matters at pre-inquiry modification stage.</p> <p>Given that the SPG is only now available, it is illogical that it should take immediate effect, when the inquiry into objections to the Plan is only a short time away. There is no logic in a Committee Report recommending that the SPG take immediate effect while also recommending consultation on its contents. The</p>	<p>Noted. Future consultation on SPG will take place over six weeks.</p> <p>It was not possible to publish the SPG sooner due to other work pressures. The SPG was an inquiry document and was referred to at the inquiry.</p> <p>The SPG is necessary to provide guidance to developers on the council's requirements. By</p>	<p>Allow six weeks consultation on future consultation.</p> <p>No change to SPG required.</p> <p>No change to SPG required.</p>

		<p>impression given is that 'consultation' is in name only. I would welcome your explanation of how comments are received are to be assessed, reported back to Committee and any changes to the SPG progressed in the context of a Council decision to approve the SPG as written.</p> <p>It is difficult to see how the SPG can be put into immediate effect when it contains no detail as to how contributions can be calculated. While it is acknowledged that the SPG sees the level of contributions as being project specific, there is nonetheless no guidance as to the method of calculation or the factors to be considered. That comment is without prejudice to the main issue, which is that this SPG purports to be a 'partnership' approach but in reality seeks simply to pass the burden of Council costs for professional services directly to developers.</p> <p>There are a number of comparators and exemplars elsewhere which do not seem to be considered by West Lothian Council:</p> <ul style="list-style-type: none"> • The use of prudential borrowing to fund short-term expenditure which will bring longer-term benefits 	<p>implementing the SPG immediately, the council is helping to facilitate development. All comments received are being reported to committee. The council will reflect further on the SPG once the outcome of the inquiry is known.</p> <p>Each project has to be assessed on a case by case basis as each will give rise to different issues and requirements.</p> <p>The council already uses prudential borrowing for some of it's own</p>	<p>No change to SPG required.</p> <p>No change to SPG required.</p>
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Stirling Developments	26/5/06	<ul style="list-style-type: none"> • Whilst we are keen to progress the evolution of Calderwood expeditiously and recognise a desire from the Council to receive financial support to fund professional services within the Council, we feel obliged to object to the Policy in its current form on the following basis: <ol style="list-style-type: none"> 1. The costs associated with the funding of the construction services and legal services cannot be quantified and as such, leaves us, as a developer, exposed to potentially significant costs. 2. The use of external legal advisors does not guarantee that the process of preparing Section 75 Agreements etc will in any way be speeded up. 	<p>Each project has to be considered on a case by case basis.</p> <p>The number of section 75 agreements which are necessary has increased</p>	<p>No change to SPG required.</p> <p>No change to SPG required.</p>

		<p>3. It is the Council, via the Structure Plan, which chose to pursue this development strategy and in doing so, must accept all reasonable consequences stemming from this choice. This includes the financial costs associated with ensuring that the strategy itself can be implemented, albeit that it is reasonable for the development industry to meet the costs of the actual physical implementation of the strategy.</p>	<p>substantially in recent years. There will be delays in preparing section 75 if additional resources are not available.</p> <p>Not accepted. Projects will be delayed unless a partnership approach to deliver infrastructure is adopted.</p>	<p>No change to SPG required.</p>
Taylor Woodrow	25/5/06	<ul style="list-style-type: none"> Disappointed at the short period for making comments. Implementing the SPG with immediate effect does not allow the views of others to be heard or taken into account, thereby making the consultation exercise irrelevant and the SPG contrary to Scottish Planning Policy. In addition, it is difficult to perceive how this SPG can be implemented in advance of the approval of the West Lothian Local Plan. 	<p>Noted. Future consultation on SPG will take place over six weeks.</p> <p>All comments received have been assessed. However, it was necessary to implement the SPG immediately to help facilitate development.</p>	<p>Allow six weeks consultation on future consultation.</p> <p>No change to SPG required.</p>

		<p>our opinion that monies obtained by the Council through planning application fees, Planning Gain Supplement and Council Tax from residents should be used to fund the Council's resources for the delivery of the development strategy in the West Lothian Local Plan.</p> <ul style="list-style-type: none"> • Taylor Woodrow Developments Ltd submitted comments on the Planning etc (Scotland) Bill and Modernising the Planning System. In essence, these comments suggested that where a Council was to raise the planning application fee for major applications, to reflect the cost of processing them more accurately, we would generally support this provided that the service offers the principles of 'best value' to Taylor Woodrow Developments Ltd. This would consist of a planning service that offers accountability, transparency, continuous improvement and ownership. SPP1 states that best value 'promotes change in attitude, culture and management style within Councils'. These are currently required under the Local Government Scotland Act 2003. Until these principles are offered, Taylor Woodrow Developments Ltd will not support the payment contributions for the provision of services by West Lothian Council. • If implemented in its current form I would suggest that the immediate implementation of this Supplementary Planning Guidance by West Lothian Council might be premature. The impact of this is that it will not prejudice or undermine the outcome of work being carried out by the Improvement Service, Scottish Executive and the provisions of the Planning etc (Scotland) Bill. but 	<p>It is noted that Taylor Woodrow recognise that there is a direct link between the availability of resources and the quality of service provided. WLC strives to deliver quality services and will be able to offer improved services by implementing the SPG on a partnership approach to the delivery of infrastructure.</p> <p>The SPG is needed now to help facilitate development. The need for the SPG will be kept under review and if there is a change of</p>	<p>No change to SPG required.</p> <p>No change to SPG required.</p>
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