



CONSULTATIONS

CULTURE COMMISSION – PHASE 2 CONSULTATION PAPER This second phase addresses pan-sectoral development and focuses on the practical development and use of cultural rights and the institutional infrastructure and balance of responsibilities for planning, delivery and evaluation at national and local level. The consultation document comprises 62 questions – the deadline for response is 14 January 2005. Consultation document is available from the BEFS office.

HISTORIC SCOTLAND CORPORATE PLAN 2005-2008 In the New Year Historic Scotland will be preparing its Corporate Plan for the period 1 April 2005 – 31 March 2008 and is seeking input into developing the plan. The closing date for comments is 18 February 2005. Questions for consideration, and a link to the current Corporate Plan, can be found at:

http://www.historic-scotland.gov.uk/corporate_plan_consultation

REVIEW OF THE SCOTTISH CLIMATE CHANGE PROGRAMME This consultation seeks view on how the Executive might strengthen its Climate Change Policy by reducing carbon dioxide emissions in various sectors. The deadline for response is 25 February 2005. To view the consultation document please go to the following web-link:

<http://www.scotland.gov.uk/consultations/environment/rsccp-00.asp>

TREE PRESERVATION ORDERS – CONSULTATION PAPER This consultation sets out a number of detailed and specific proposals for changes to the Town and Country Planning (Scotland) Act 1997 and The Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 1975. The consultation deadline is 28 February 2005. To view to the consultation visit:

<http://www.scotland.gov.uk/consultations/planning/tpoc-00.asp>

PUBLICATIONS

PLANNING ADVICE NOTE – ELECTRONIC PLANNING DELIVERY (SCOTTISH EXECUTIVE) Planning Advice Note (PAN) 70 outlines how planning authorities can deliver the online services that individuals, communities and businesses require. The PAN explains how planning authorities can develop their websites to allow people to make and monitor the progress of planning applications, investigate if changes to their property require permission, find out about planning applications in their area and make representations online, check what land is designated for in development plans, and engage with the development plan preparation process, find out about the planning history of a property. The publication can be viewed at:

<http://www.scotland.gov.uk/library5/planning/epan70-01.asp>

INQUIRY REPORTERS UNIT – REVIEW OF THE YEAR 2003-2004 (SCOTTISH EXECUTIVE) This report provides statistics and commentary on the work carried out by the Inquiry Reporters Unit over the year. The publication can be viewed at:

<http://www.scotland.gov.uk/library5/development/pirur04-00.asp>

DRAFT CHARITIES AND TRUSTEE INVESTMENT (SCOTLAND) BILL CONSULTATION – CONSULTATION REPORT (SCOTTISH EXECUTIVE) A summary and analysis of written responses to the consultation, and a summary of actions and changes made to the bill by the Scottish Executive as a result. The report can be viewed at:

<http://www.scotland.gov.uk/consultations/development/dctibc-00.asp>

GOVERNMENT RESPONSE TO THE ODPM SELECT COMMITTEE'S REPORT ON THE ROLE OF HISTORIC BUILDINGS IN URBAN REGENERATION Cm6420 (ODPM) The Government has published its response to the ODPM Select Committee's report into the Role of Historic Buildings in Urban Regeneration. The response has been prepared

jointly by the ODPM and DCMS. The paper comments on how the Government will take action on the Committee's recommendations. To view the response visit:

<http://www.culture.gov.uk/NR/rdonlyres/e2xbj3m4lkulabbhjqcrnsedd5olcgn7lqybtrabgp6yvdydsdssa3q3dpaqit5nbclwhging23zjrmhyuleo6mcdrd/govresponsodpmCm6420.pdf>

EVENTS

NATURAL STONE INSTITUTE, BUILDING WITH STONE CPD SEMINAR: The Natural Stone Institute is holding a Continuing Professional Development Seminar on the 17 January 2005 at the Scottish Executive, Victoria Quay, Edinburgh, in the Conference Room from 10.30am. The cost of the seminar is £35. For more information regarding the seminar please contact Sarah Bailey on 0131 440 9473 or email her at sarahbailey@nsiuk.org

SCOTTISH EXECUTIVE NEWS RELEASES

NEW ORGANISATION TO CHAMPION BUILT ENVIRONMENT (07/12/2004) A new public organisation, Architecture and Design Scotland, has been established to champion the cause of good architecture and design. Culture Minister Patricia Ferguson has announced that the Chair is to be Raymond Young OBE, an architect and a former senior member of staff of Scottish Homes. The Deputy Chairs are to be Professor Brian Evans, partner in Gillespies, one of the UK's leading urban and landscape design practices, and Malcolm Fraser, the Principal of a well-known architecture practice in Edinburgh and visiting Professor in Architecture at the University of the West of England in Bristol. The principal aim of the body will be to inspire better quality in design and architecture so that Scotland's built environment contributes in a positive way to quality of life and built heritage. Along with other activities, it will take over the independent design review role of the Royal Fine Art Commission for Scotland (RFACS) from April 2005. To view the article visit:

<http://www.scotland.gov.uk/News/Releases/2004/12/07100934>

CLIMATE CHANGE CONSULTATION (02/12/2004) Options to strengthen Scotland's response to the threat of climate change are outlined in a consultation published which raises for the first time the possibility of separate Scottish climate change targets. For more information on this article please go to the following web-link and also the consultation document under the Consultations Section of this Bulletin:

<http://www.scotland.gov.uk/News/Releases/2004/12/02105927>

NEW LAWS TO PROTECT WILDLIFE AND ENVIRONMENT (29/11/2004) New laws which place Scotland at the forefront of international action to protect wildlife and the environment have come into force. The Nature Conservation Act imposes a wide-ranging duty on Scotland's public sector to conserve biodiversity and protect the nation's precious natural heritage. Implementation is linked to a national biodiversity strategy endorsed by the Scottish Executive. The Act strengthens protection for Sites of Special Scientific Interest (SSSIs). The maximum fine for intentional or reckless damage to Scotland's most important natural land and wildlife habitat is raised from £5,000 to £40,000. Offences include unauthorised development, willful fire-raising, the removal of plants or animals and damage caused by motorised vehicles. For more information please go to the following web-link:

<http://www.scotland.gov.uk/News/Releases/2004/11/29105255>

FEUDAL LAW ABOLISHED AFTER 800 YEARS (28/11/2004) The abolition of Scotland's feudal law system has been completed as three separate pieces of legislation come into force, marking the most far reaching changes to Scots property law in eight centuries. The Abolition of Feudal Tenure etc (Scotland) Act 2000, the Title Conditions (Scotland) Act 2003 and the Tenements (Scotland) Act 2004 are designed to modernise and simplify property law by giving owners greater rights. To view the article please go to the following web-link:

<http://www.scotland.gov.uk/News/Releases/2004/11/26163736>

NEWS RELEASES

TIME TO STOP ABUSE OF THE PLANNING SYSTEM (ODPM 23/11/04) Planning Minister Keith Hill has announced a public consultation on draft regulations for temporary stop notices to help end the suffering caused by unauthorised developments. To view this article visit:

http://www.odpm.gov.uk/pns/displaypn.cgi?pn_id=2004_0291

COMMUNITY INVOLVEMENT IN PLANNING IS ESSENTIAL, SAYS CARWYN JONES (WELSH ASSEMBLY 23/11/04) Welsh Assembly Minister for Environment, Planning and Countryside stated to the Welsh Assembly recently that local communities including businesses, should feel confident that they can contribute to new planning strategies before decisions are made. To view this article visit:

<http://www.wales.gov.uk/assemblydata/N0000000000000000000000000026184.html>

PROPERTY OWNERS CAN SAVE THOUSANDS WITH REGULAR MAINTENANCE (HISTORIC SCOTLAND 30/11/04) As part of the recent National Maintenance Week, organised by the Society for the Protection of Ancient Buildings (SPAB), property owners across the country have been urged by the National Trust for Scotland (NTS) and Historic Scotland to regularly maintain their buildings in order to preserve their value and avoid the need for costly repairs. For more information on this article and the recent Gutters Day please go to the following web-link:

<http://www.historic-scotland.gov.uk/index/news.htm>

MOTIONS & BILLS

S2M-2085 TED BROCKLEBANK, ST ANDREWS WORLD HERITAGE SITE STATUS (06/12/04) That the Parliament supports a campaign to encourage the UK Government to obtain World Heritage Site status from UNESCO for St Andrews; recognises that St Andrews is the home of golf, the world's fastest-growing sport and that it is also the historic ecclesiastical capital of Scotland; believes that its cultural and educational contributions, in particular Scotland's oldest university, should be formally acknowledged; notes that St Andrews is regarded worldwide as unique, not only for its medieval town centre, but also for its captivating and award-winning natural features, and considers that the Scottish Executive should support St Andrews as an eminently-suitable Scottish candidate for the UK Tentative List.

NEW PARLIAMENTARY QUESTIONS

S2W-12561 MS WENDY ALEXANDER (25/11/04) To ask the Scottish Executive how planning authorities have performed against its development control performance targets that (a) 80% of planning applications should be determined in two months, (b) 85% of planning applications should be determined in three months, (c) 90% of householder applications should be determined in two months, (d) 95% of householder applications should be determined within three months and (e) 80% of major applications should be determined within four months, in each year since the targets were set.

S2W-12710 RICHARD LOCHHEAD (30/11/04) To ask the Scottish Executive what level of European funding has been secured for renewable energy projects in (a) each of the last three years and (b) this year.

S2W-12724 MICHAEL MATHESON (01/12/04) To ask the Scottish Executive how it will deliver its policy priority of "protecting and developing our cultural heritage and promoting a high quality built environment" and what the timescale is for achieving this policy.

S2W-12835 WENDY ALEXANDER (07/12/04) To ask the Scottish Executive whether it will set target dates for the publication of all local and structure plans.

S2W-12837 WENDY ALEXANDER (07/12/04) To ask the Scottish Executive how it intends to speed up the consideration of planning applications to meet its targets.

S2W-12917 ELAINE MURRAY (09/12/04) To ask the Scottish Executive whether it intends to make representations to the Department for Culture, Media and Sport regarding the National Lottery Bill, in particular regarding the potential impact of clauses 7 and 8 on the Heritage Lottery Fund in Scotland.

S2W-12977 ROBERT BROWN (13/12/04) To ask the Scottish Executive what assistance is available to schools and local authorities to enable them to embed the concept of sustainable schools in their procurement programmes.

PARLIAMENTARY QUESTIONS ANSWERED

Q (S2W-11495) GORDON JACKSON: STATUS OF NETWORK RAIL AND ENVIRONMENTAL ASSESSMENTS

A The Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004, applies to authorities who are "exercising functions of a public character". Under these regulations the onus is on Network Rail to consider if they are carrying out functions of a "public character" and therefore if their plans or programmes are subject to the regulations. Where individual proposals require environmental impact assessment under the planning provisions of the Environmental Impact Assessment (Scotland) Regulations 1999, then the related environmental statement would have to be the subject of public consultation and consultation with Scottish Natural Heritage, the Scottish Environment Protection Agency, the Health and Safety Executive, the adjoining planning authority, the water and sewerage authorities and the Scottish ministers. These consultation requirements are the responsibility of the planning authority and are in addition to the consultation requirements regarding the related planning application. **MALCOLM CHISHOLM (26/11/04)**
<http://www.scottish.parliament.uk/business/pqa/wa-04/wa1126.htm>

Q (S2W-12248) BRIAN ADAM: PLANNING POWERS TO FORCE MAINTENANCE OF DERELICT COMMERCIAL PROPERTY

A We have no plans to introduce new legislation to give local authorities further powers in this area. Planning authorities already have the powers necessary to deal with land or buildings the condition of which is adversely affecting the amenity of their district. Section 179 of the Town and Country Planning (Scotland) Act 1997 gives planning authorities the power to serve on any owner, lessee or occupier of any such land or buildings a notice requiring the person responsible for the land to take whatever steps are necessary to abate the adverse effect. Where the recipient of such a notice fails to comply with its requirements, the planning authority have powers under section 179 to take steps to rectify the situation to their satisfaction and recover from the person who is the owner or lessee any expenses reasonably incurred by them in doing so. Part 3 of the Local Government in Scotland Act 2003 also created a new discretionary power which enables local authorities to do anything they consider is likely to promote or improve the well-being of their area and/or persons in it. This power is designed as an enabling measure, giving local authorities the freedom to work in a more innovative and creative way in responding to the needs of their communities. Guidance on the use of the power was issued by Scottish ministers in April 2004 - The Local Government in Scotland Act 2003: Power to Advance Well-Being Guidance. **JOHANN LAMONT (29/11/04)**
<http://www.scottish.parliament.uk/business/pqa/wa-04/wa1129.htm>

Q (S2W-12618) ELAINE SMITH: VOLUNTARY SECTOR GRANTS

A I have today arranged for the release of a spreadsheet detailing direct and indirect grants to voluntary organisations in 2004-05. In 2004-05 the Executive will be providing £319 million directly and £85 million indirectly - £404 million in total - to the voluntary sector in Scotland. This is an increase of £30 million from last year, reflecting the Scottish Executive's continued commitment to the sector. Copies of the spreadsheets are available from the Parliament's Reference Centre and the Scottish Executive website (Bib. numbers 34531 – Direct and 34532 – Indirect). **JOHANN LAMONT (30/11/04)**
<http://www.scottish.parliament.uk/business/pqa/wa-04/wa1130.htm>

Q (S2W-12348) MARY SCANLON: FUTURE DESIGNATION OF NATIONAL PARKS

A We are committed to managing and protecting Scotland's most valuable natural assets. Section 2(2) of the National Parks (Scotland) Act 2000 sets out the conditions that must apply before any area can be considered for designation as a National Park. Scotland's first two national parks were established in 2002 and 2003. Scottish Natural Heritage undertook a consultation exercise in 1999 which informed the Executive's decisions on national park designations. The consultation sought views on a number of areas which might benefit from national park designation. The conclusion was that consideration of any new proposal should not take place until there had been an adequate opportunity to evaluate the experience from the first two national park designations. Our partnership agreement gave a commitment to consult on the best strategy for protecting and enhancing all of Scotland's coastline, including the options of establishing a national coastline park and marine national parks. That commitment was taken

forward in our consultation paper Developing a Strategic Framework for Scotland's Marine Environment (paper 2004/6 published April 2004) copies of which are available in the Parliament's Reference Centre (Bib. number 32159). Responses to that consultation paper are currently being considered. **LEWIS MACDONALD (01/12/04)**
<http://www.scottish.parliament.uk/business/pqa/wa-04/wa1201.htm>

Q (S2W-12500) ROSEMARY BYRNE: CLIMATE CHANGE - RAISING AWARENESS

A I am pleased to announce the launch today of a public consultation exercise on the review of the Scottish Climate Change Programme which is designed to stimulate a public debate on climate change and seek views on the Executive's response. The Executive is co-funding an interactive conference on 7 December to help raise awareness of the Scottish Programme review and engage stakeholders in the consultation process. We will look to avail ourselves of media opportunities to ensure maximum coverage of climate change issues associated with the review. In addition, the initial focus of the Executive's environmental awareness campaign, Do a Little: Change a Lot, which launched in 2001, was on climate change. The campaign's budget for 2004-05 is £400,000, of which the majority will be spent promoting energy efficiency, a key element of the Executive's response to climate change. **ROSS FINNIE (02/12/04)**
<http://www.scottish.parliament.uk/business/pqa/wa-04/wa1202.htm>

Information in the Bulletin is extracted from a number of websites (mainly Scottish Executive and Scottish Parliament). If you have any questions or comments on the above, or would like to submit information to be included, please get in touch with Chris Stuart cstuart@befso.org.uk or Jo Robertson jrobertson@befso.org.uk at the BEFS office on 0131 556 5353.