

Planning Committee

2.00pm, Wednesday, 3 February 2021

Coronavirus Measures and Publication of Weekly Lists and Posting of Site Notices

Executive/routine
Wards
Council Commitments

1. Recommendations

- 1.1 It is recommended Committee notes the decision taken by the Chief Planning Officer in consultation with the Convener and Vice Convener to extend the period during which weekly lists are not published in libraries and offices to 31 March 2021.
- 1.2 It is recommended Committee notes the decision to suspend the physical posting of site notices and to publish these on the Council's website.

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Coronavirus Measures and Publication of Weekly Lists and Posting of Site Notices

2. Executive Summary

- 2.1 The Council published its weekly list of applications in libraries, Hub buildings and its principal office at Waverley Court. These buildings were closed to the public as a result of the Coronavirus Emergency
- 2.2 Planning Committee agreed on 2 September 2020 that weekly lists would continue to not be published in libraries and offices until 31 December 2020. It also agreed that if the Chief Planning Officer considers that these measures need to continue beyond that date, he would take a decision to do so following consultation with the Convener and Vice Convener of the Planning Committee and report to Committee on that decision thereafter.
- 2.3 The arrangements for publications need to be extended as libraries and offices will remain closed due to continuing Coronavirus measures.
- 2.4 Following consultation with the Convener and Vice Convener, the Chief Planning Officer has taken the decision to extend these measures to 31 March 2021.
- 2.5 In addition, following the Scottish Government's decision on 4 January to put mainland Scotland and Skye into lockdown along with its Stay at Home advice, given the increased risk to public and staff health, the Chief Planning Officer has taken a decision to suspend the physical posting of site notices. Instead, these will be published on the Council's website. This is being kept under review and as soon as it is considered safe enough, physical posting will be resumed.
- 2.6 This report asks Committee to note these decisions.

3. Background

- 3.1 Under the Planning Acts, the Council published its weekly list of applications in libraries, Hub buildings and its principal office at Waverley Court. At these buildings it allowed the public to view the plans for applications via computers. These buildings were closed to the public as a result of the Coronavirus Emergency.
- 3.2 Under these Acts, the Council also posted site notices for some types of applications.

- 3.3 Paragraph 10(2) of Schedule 6 to the Coronavirus (Scotland) Act 2020 removes the duty requiring public authorities to physically publish or publicise documents or make documents available for physical inspection where they consider that doing so may give rise to a significant risk of transmission of coronavirus.
- 3.4 The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 were amended so that from 26 December 2020 Edinburgh would be in what is known as a Level 4 area. In level 4 areas, libraries must be closed to members of the public and public buildings can only be opened for limited reasons.
- 3.5 Planning Committee agreed on 2 September 2020 that weekly lists would continue to not be published in libraries and offices until 31 December 2020.
- 3.6 It also agreed the Chief Planning Officer could extend these arrangements beyond that date if necessary and following consultation with the Convener and Vice Convener of the Planning Committee.
- 3.7 As a result of increased concern about the transmission of coronavirus, the above Regulations were further amended on 5 January to put mainland Scotland and Skye into lockdown. At this time, the Scottish Government advice was for people to stay at home.

4. Main Report

- 4.1 Due to the Council's area being a Level 4 area, it is not possible to publish weekly lists in libraries or Council offices.
- 4.2 Following consultation with the Convener and Vice Convener of the Planning Committee, the Chief Planning Officer took the decision to continue not to publish weekly lists in libraries and offices until 31 March 2021.
- 4.3 This date is the same as the date in which the Coronavirus (Scotland) Act 2020 is in force in relation to the publication and making of documents available for physical inspection.
- 4.4 Weekly lists will continue to be published on the Council's [website](#).
- 4.5 In accordance with the decision of Committee of 2 September 2020, the Chief Planning Officer has suspended the posting of site notices as he considers the risk of infection has increased to a level where the posting of site notices is no longer safe for staff and because he considers the posting of such notices would be counter to objectives of community health protection.
- 4.6 Committee is asked to note the above decisions.

5. Next Steps

- 5.1 The measures set out in this report will be kept under review by the Chief Planning Officer. If it is necessary to further extend the arrangements for non-publication of

weekly lists in libraries and offices, he will consult with the Convener and Vice Convener of the Planning Committee before making any decision.

- 5.2 If it is necessary to extend arrangements for not physically posting site notices beyond 31 March 2021, this will be reported to Committee.

6. Financial impact

- 6.1 There is no financial impact arising from this report.

7. Stakeholder/Community Impact

- 7.1 The contents and recommendations neither contribute to, nor detract from, the delivery of the three Public Sector Equality Duties.
- 7.2 The contents and recommendations described in the report do not deliver any outcomes relating to the ten areas of rights, nor do they enhance or infringe them.
- 7.3 There is no environmental impact arising from the contents of this report.

8. Background reading/external references

- 8.1 Report to Planning Committee of 2 September 2020 on [Changes to Publication Arrangements for Applications during Coronavirus Emergency](#)
- 8.2 [Coronavirus \(Scotland\) Act 2020](#)
- 8.3 [Town and Country Planning \(Scotland\) Act 1997](#)
- 8.4 [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Regulations 2020](#)
- 8.5 [Planning \(Listed Buildings and Conservation Areas\) \(Scotland\) Act 1997](#)
- 8.6 [Town and Country Planning \(Development Management Procedure\) \(Scotland\) Regulations 2013](#)
- 8.7 [Town and Country Planning \(Listed Buildings and Conservation Areas\) \(Scotland\) Regulations 1987](#)

9. Appendices

- 9.1 None.