

Planning Committee

2.00pm, Wednesday, 15 November 2023

Responsible Construction – Appointment of Working Group

Executive/routine
Wards

All

1. Recommendations

- 1.1 Planning Committee is asked to:
 - 1.1.1 Appoint the membership of the Responsible Construction Working Group as detailed in Appendix 2;
 - 1.1.2 Approve the terms of reference of the Working Group as detailed in Appendix 2;
 - 1.1.3 Instruct the Working Group to consider options to encourage more responsible construction as referred to in the Motion detailed in Appendix 1; and
 - 1.1.4 To request that a report on findings of the work is brought to Committee within two cycles.

Paul Lawrence

Executive Director of Place

Contact: David Givan, Chief Planning Officer and Head of Building Standards

E-mail: David.givan@edinburgh.gov.uk | Tel: 07525618478

Responsible Construction – Appointment of Working Group

2. Executive Summary

- 2.1 This report presents a proposal for a Responsible Construction - Short Life Working Group to be established to consider options to encourage more responsible construction via engagement with stakeholders including elected members, officers, and representatives from community councils (via the Civic Forum) and members of the Development Forum.

3. Background

- 3.1 The Planning Controls over Construction report to Planning Committee of [13 September 2023](#) was provided in response to a request from the Council on 22 June 2023 regarding control and amendments to permissions which would reduce the impact of construction works on nearby residents. This arose from a motion to Council by Councillor McKenzie.
- 3.2 On 13 September, Planning Committee agreed the report subject to a motion (Appendix 1).
- 3.3 The motion requested that a short life working group be established with stakeholders to consider options to encourage more responsible construction, and to report back to committee within three cycles from that Committee date.

4. Main report

- 4.1 Committee is asked to approve the establishment of a “Responsible Construction Working Group”, comprising Elected Members, Officers, and representatives from community councils via the Civic Forum and representatives of the Development Forum in line with the requirements of Framework of the Appointments to Working Groups Report approved by the Council on 16 March 2023.
- 4.2 The proposed membership of the Working Group should be nominees from the five main party groups. The mover of the original motion to Council should also be included in line with the agreed motion of 13 September 2023. In addition, officers

who represent relevant service areas will be included within the membership as required by the chair of the Working Group. Appendix 2 contains the proposed membership and terms of reference.

- 4.3 Membership, as proposed, ensures elected members' leadership and representation, together with officer input from service areas that link to Planning including Transport and Environmental Health.
- 4.4 The Working Group will provide a forum to discuss ways in which those involved in the construction process can be more responsible which may help to mitigate potential impacts on the amenity of those living within communities in Edinburgh.

5. Next Steps

- 5.1 If Committee approve the recommendations in this report:
 - 5.1.1 The Working Group will be established;
 - 5.1.2 The group will consider options to encourage more responsible construction, and its findings will be reported back to committee within two cycle; and
 - 5.1.3 Where any recommendations relate to the remit of other committees that will be reported to those committees as appropriate.

6. Financial impact

- 6.1 If this work recommends changes to Council practices, there may be resultant financial impacts. Such impacts would be reported to committee in the report on the findings of the working group.

7. Equality and Poverty Impact

- 7.1 There is expected to be no adverse impacts on equality, human rights or socio-economic disadvantage as a result of the work undertaken by the Working Group and associated outcomes.

8. Climate and Nature Emergency Implications

Environmental Impacts

- 8.1 There is no direct impact on the environment resultant from the formation of the Working Group and any potential impact from resultant implementation of any recommendations will be assessed.

9. Risk, policy, compliance, governance and community impact

- 9.1 There are not expected to be governance impacts associated with Planning Committee as governing body for the working group, however any impacts would be reported to Committee with the report on the findings of the Working Group.
- 9.2 If there are requirements for any consultation resulting from the findings of the Working Group, these will be included in the report on findings.

10. Background reading/external references

- 10.1 None

11. Appendices

- 11.1 Appendix 1 – Planning Controls over Construction Motion approved by Planning Committee on 13 September 2023.
- 11.2 Appendix 2 – Responsible Construction Working Group Proposed Membership and Terms of Reference.

Appendix 1

Approved motion - 13 September 2023

- 1) To note that planning controls over construction were limited but the Council did exercise some control to ensure adverse impacts of construction were mitigated in relation to noise and on the road network.
- 2) To note the information provided with planning decision notices was reviewed to better signpost developers to expectations around good working practices in relation to neighbours.
- 3) To agree that in addition to 5.1 of the report by the Executive Director of Place that Officers would explore the possibility of improving the information held on the Council website so that residents could better understand what controls the Council did have and who to contact if they had concerns.
- 4) To agree to establish a short-life working group, consisting of representatives from communities affected by construction, representatives of developers and/or the construction industry, one representative per party group and the mover of the original motion, and relevant council officers, to consider options to encourage more responsible construction, and to report back to committee within three cycles.
- 5) To engage with members on advice and expectations around construction that will be sent to developers.
- 6) To discuss with colleagues in environmental health restricting the hours of construction sites.
- 7) To liaise with members on constituent feedback regarding issues that surrounded construction sites.

Appendix 2

Responsible Construction Working Group Proposed Membership and Terms of Reference

Proposed Membership

Five representatives, comprising one representative from each of the following Political Groups and the Independent Member who moved the original motion to Council of 22 June 2023.

- Conservative Group
- Green Group
- Labour Group
- Liberal Democrat Group
- Scottish National Party Group

In addition, officers who represent relevant service areas will be included (Planning, Transport and Environmental Health) within the membership as required by the chair of the Working Group, as well as representatives from the Community Councils (3 members) via the Civic Forum and members of the Development Forum (3 members).

Terms of Reference

Introduction:

The Working Group will consider options to encourage more responsible construction and review ways in which to mitigate potential impacts associated with construction on the amenity of those within communities in Edinburgh.

Remit:

The working group will consider how work relevant to controls over the impact of construction on local communities, can support the production of a report to be presented to Planning Committee summarising key outcomes to meet the Motion aims. Where there are outcomes relevant to other Committees these will be reported to accordingly. Officers will link to Council service areas as appropriate to ensure a coordinated cross Council approach is maintained throughout.

Timescale:

The group will be established in early 2024 to progress the work with a report summarising findings and recommendations to be presented within to Planning Committee for April 2024.

Meeting Arrangements:

The group will select a chair at its first meeting. The working group will meet frequently in line with key milestones in the strategy development process, until the completion of a report within three cycles by April 2024 with findings for consideration by Planning Committee. The Group may invite additional Officers and external Stakeholders as required.