



The Scottish Parliament
Pàrlamaid na h-Alba

PUBLIC PETITION NO.

PE01800

Name of petitioner

Siobhan Samson on behalf of Bo'ness Community Council & Grangemouth Community Council (including Skinflats)

Petition title

Expand the remit of the Lands Tribunal for Scotland

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to expand the remit of the Lands Tribunal for Scotland to include the consideration of planning decisions, which are currently called-in by Scottish Ministers.

Action taken to resolve issues of concern before submitting the petition

We have previously raised this issue with our MSP, Angus MacDonald, who advised us to lodge this petition.

Petition background information

When Scottish Ministers call an application in, they appoint a reporter or reporters from the DPEA (Planning and Environmental Appeals Division) to submit a report with a recommendation to Scottish Ministers.

Scottish Ministers then either choose to accept or decline the recommendation and will issue a decision.

We do not believe that the final decision-making process should lie with Scottish Ministers. These decisions often require a difficult balancing act between competing interests. Even when decisions are based on other factors, there is a risk of decisions being perceived as politically motivated. To ensure independence and fairness, these decisions should instead be taken by the Lands Tribunal for Scotland.

We are aware that the remit of the Lands Tribunal for Scotland may have to be expanded to accommodate this.

We can provide you with examples to justify our request:

- Some years ago, the decision of the M74 Extension Public Local Inquiry reporter was recommended for refusal by DPEA Reporters. It was overturned by Scottish Ministers.
- The Trump application for the Menie Estate was called in and subsequently decided upon by Scottish Ministers.

. More recently, an application by Ineos to install 2 security cabins and 5 pipe racks, which will necessitate the closure of the A904, the main road between Bo'ness and Grangemouth, was called in and recommended for refusal by the DPEA but their recommendation was not accepted by Scottish Ministers and approval was granted.

It is this most recent Ineos decision that has prompted this petition.

We are not seeking to overturn decisions that have already been made. However, we do think that there is scope to revise current planning provisions to make them fairer and more independent.

Having looked at the Lands Tribunal for Scotland, we would submit that there is already sufficient expertise available to enable it to take these final planning decisions.

Unique web address

<https://www.parliament.scot/GettingInvolved/Petitions/planning>

Related information for petition

Do you wish your petition to be hosted on the Parliament's website to collect signatures online?

YES

How many signatures have you collected so far?

0

Closing date for collecting signatures online

14 / 04 / 2020

Comments to stimulate online discussion