

The SPEL Conference

2013

Planning Performance and Improvement

**Thursday 5 September, The Mackenzie Building,
Old Assembly Close, Edinburgh**



SPEL Conference 2013

what it's about:

The SPEL Conference is widely regarded as the foremost annual planning law event in Scotland, affording participants the opportunity to engage in high level discussion and debate. The conference takes an in depth look at key elements of the Scottish planning system with a series of talks by a range of experienced practitioners.

In March 2013, the Scottish Government produced a summary report of the information contained in individual Planning Performance Framework (PPF) reports of local authorities. Whilst the report acknowledges a general move towards a tighter performance culture, it concludes that there are some clear areas where improved performance could be made.

This year's programme reflects a general theme of improved performance by looking at a number of current and topical issues from a variety of perspectives.

Highlights...

- Commentary on the Planning Performance Framework
- Engaging with Architecture & Design Scotland
- Two 'panel discussions' dealing with performance and improvement in relation to Section 75 Obligations and processing agreements, and planning appeals and local review bodies
- Perspectives from the property and development sector
- Planning case law round up

Programme

09.00	Registration and coffee
09.45	Chair's Welcome and Introduction James Findlay QC, Terra Firma Chambers
09.50	Planning Performance Framework - a Commentary Malcolm MacLeod, Head of Planning & Building Standards, The Highland Council and Chairperson, Heads of Planning Scotland
10.10	Questions
10.20	Raising Design Standards - Engaging with Architecture & Design Scotland Speaker from Architecture & Design Scotland (A+DS)
10.55	Questions
11.05	Refreshments
11.30	Elements of Reform and Improvement (i) - Chair, Brian Muir, Partner, Muir Smith Evans Section 75 Obligations and Processing Agreements Julia Frost, Julia Frost Planning and David Reekie, Policy Manager, The Scottish Government Chris Devlin, Solicitor, Shepherd + Wedderburn, LLP Rob McIntosh, Principal Solicitor, Aberdeenshire Council
12.30	Lunch Afternoon Chair Maurice O'Carroll, Terra Firma Chambers
13.30	Elements of Reform and Improvement (ii) - Chair, Maurice O'Carroll, Terra Firm Chambers Planning Appeals and Local Review Bodies Lindsey Nicoll, Chief Reporter, Directorate for Planning and Environmental Appeals Suzanne McIntosh, Suzanne McIntosh Planning Tom Duncan, Senior Solicitor, West Lothian Council
14.30	Case Law Round Up Stephen O'Rourke, Terra Firma Chambers
14.50	Questions
15.00	Refreshments
15.20	A View from the Development Sector Ben Train, Town Planning Manager, Tesco Stores Ltd and Chair, Scottish Property Federation Planning & Development Group
15.40	Questions
15.50	Key Improvement Issues for RTPI Scotland Nikola Miller, Planning Policy & Practice Officer, RTPI Scotland
16.00	Closing Remarks



**Chris Devlin,
Solicitor, Shepherd and Wedderburn LLP**

Chris has been with Shepherd and Wedderburn for 5 years. He advises on all aspects of planning, roads, and environmental law, with particular emphasis on renewable energy, housing, and retail projects. He has particular expertise in the drafting and negotiation of legal agreements.

**Tom Duncan,
Senior Solicitor, West Lothian Council**

Tom is a Senior Solicitor with West Lothian Council where he has worked for over 35 years. His experience includes planning, litigation (including planning appeals and judicial reviews), conveyancing (together with all related property matters) and general legal work. Tom specialises in planning work and in particular the preparation of planning obligation agreements.

**James Findlay,
Advocate (QC England and Wales)**

James Findlay called to the Scottish Bar in 2008, having been a practising Barrister in England & Wales since 1984, taking silk in 2008. He specialises in local government, planning, environment, administrative and licensing law. James has recommendations in the Scottish Bar Planning section in the latest editions of both the Legal 500 (2012) and Chambers UK (2013) directories.

**Julia Frost,
Julia Frost Planning**

Julia is an independent planner with over 15 years experience in the public and private sectors. She was a Planning Director at Turley Associates and a recent secondee within the Scottish Government's Planning and Architecture team assisting with the planning modernisation agenda, in particular identifying good practice in the use of S75 Obligations

**Malcolm MacLeod,
Head of Planning & Buildings Standards,
The Highland Council**

Malcolm has been with Highland Council for 13 years and Head of Planning & Buildings Standards since August 2011. He has been involved with a range of rural, urban and transport issues. Malcolm is currently Chairperson of Heads of Planning Scotland, and heavily involved in the commitment to the delivery of improved

performance in the planning system across Scotland.

**Suzanne McIntosh,
Suzanne McIntosh Planning**

Suzanne is a Planner, Urban Designer and Mediator. In addition to her own practice, she is a consultant to Sir Frank Mear Associates Ltd and Urban Design Futures Ltd. Her particular interests include planning appeals, promotion and use of mediation in planning, masterplanning and acting as an expert witness at Inquiries.

**Rob McIntosh,
Principal Solicitor, Aberdeenshire Council**

Rob has been with Aberdeenshire Council since 2011. He advises on all aspects of property law but with a particular emphasis on negotiating and concluding legal agreements, property development, acquisition and disposals. Prior to that, he was mostly in private practice or in – house, specialising in commercial property and housing development, planning and renewables.

**Nikola Miller,
Planning Policy & Practice Officer,
RTPI Scotland**

Nikola Miller is the Planning Policy and Practice Officer for RTPI Scotland, with responsibilities for co-ordinating and drafting RTPI policy responses; engaging with and informing members and stakeholders; raising RTPI Scotland's profile; and leading on RTPI Scotland's Communications and Knowledge Management activities.

**Brian Muir,
Partner, Muir Smith Evans**

Brian has over 36 years planning and development experience in both local government and consultancy. During that time he has been involved in policy formulation at national, strategic and local level. He has advised both politicians and private clients on some of the most significant developments in Scotland during the past few decades.

**Lindsey Nicoll,
Chief Reporter, Directorate for Planning
and Environmental Appeals**

Lindsey has held the post of Chief Reporter of the Scottish Government's Directorate for Planning and Environmental Appeals since August 2009.

She is a solicitor whose career has mainly been in the public sector: in the Scottish Government and Treasury Solicitors. She specialises in public law litigation. She was previously Secretary to Lord Gill's Review of the Civil Courts.

**Maurice O'Carroll,
Advocate**

Maurice O'Carroll called to the Bar in 1995 and has developed a varied and successful practice with particular emphasis on Planning, Employment, Public and Administrative Law, Professional Negligence and Commercial Law. He has conducted planning inquiries for developers, objectors and local authorities and is recommended in the current edition of Legal 500 for his expertise in this field.

**Stephen O'Rourke,
Advocate**

Stephen O'Rourke has developed a broad civil & commercial practice over ten years since calling to the Bar in 2002. He has particular expertise in the areas of planning and administrative law; tax, trusts and partnerships; property and agricultural law; land valuation appeals and professional & medical negligence.

**David Reekie,
Policy Manager, The Scottish Government**

David has worked in the Legislative branch of the Scottish Government Planning Division for over 10 years. During that time he has been heavily involved in the implementation of reforms to section 75 Obligations following the Planning Etc (Scotland) Act 2006. Most recently David has been working with Julia Frost during her secondment to the Scottish Government and will be taking forward further work to promote good practice.

**Ben Train,
Town Planning Manager, Tesco Stores Ltd**

Ben is Town Planning Manager for Tesco Stores Ltd covering Scotland, Northern Ireland and Northern England. Ben joined Tesco in 2007 and in addition to leading on town planning has worked on Tesco's renewables programme and has experience in a Development Executive role. Ben is also the Chair of the Scottish Property Federation Planning & Development Group.