

Response by Director of Planning and Transport on behalf of Renfrewshire Council in relation to questions posed in consultation on the implementation of the removal of the duty to notify Historic Scotland on certain types of listed building consent.

1. Question: In what capacity are you involved, or have you previously been involved, with the listed building consent process (e.g. applicant, agent, amenity body, planner, etc)?

Response: planning authority

2. Question: What criteria do you think a planning authority should meet in order to qualify for taking on sole responsibility for determining listed building consent applications and what resources do you think may be involved?

Response: The authority should employ or otherwise retain the services of at least one architect experienced in the conservation and repair of listed buildings to advise on listed building applications.

3. Question: Do you agree with the criteria proposed following the pilot?

Response: the criteria set out in paragraph 30 of section 6 of the consultation are proportionate and acceptable.

4. Question: It is Scottish Ministers' view that planning authority policies should be in line with national policy before they take on responsibility for determining applications. Do you agree? If not please explain why.

Response: agreed

5. Question: Do you think the scope of applications identified in Schedule 1 is appropriate?

Please explain your answer. It would be helpful if you could consider whether:

anything else be included/omitted?

schedule 1 be extended to include category A-listed buildings?

schedule 1 be determined by exception rather than inclusion?

Response: Definition by exception is a tried and tested approach which is far simpler for both the public and case officers to understand. It avoids the creation of unwieldy lists and reduces ambiguity for all parties.

6. Question: Do you think the method of monitoring planning authorities' decisions during the pilot was effective?

Response: Only the participant's are in a position to make that assessment.

7. Question: Do you think that planning authorities' decisions should be monitored as part of any future scheme?

Please explain why/why not.

Response: Yes – essential that there is some quality control exercised particularly as the level of expertise available to planning authorities may vary over time.

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8. **Question:** Do you think there are other ways which the monitoring could be done?

If yes then how?

Response: The monitoring form used in the pilot study may have been appropriate for a test scheme but one would question the purpose of collecting this amount of data in the wider roll out of the scheme. Information on the speed of determination will be collected in the normal returns to Scottish Government so to collect that information is superfluous. Similarly there should be no need to forward copies of anything else other than the decision notice, the approved plans and the report of handling to Historic Scotland. Monitoring information should be forwarded to Historic Scotland on the determination of each case. A review of this information would allow Historic Scotland to assess whether Council's were complying with national policy and guidance and could take appropriate action if they perceived that an inappropriate decision had been made.

9. **Question:** Do you think monitoring information for planning authority decisions on C(S)-listed buildings should also be included?

Please explain why/why not?

Response: provided the level of information required was in line with that suggested above it would be appropriate for C(S)-listed buildings to be included.

10. **Question:** How regularly do you think a planning authority's overall performance should be reviewed and how do you think this should be carried out?

Response: As set out above monitoring should be continuous but with an annual review built in to discuss any broader issues which arose during the year.

11. **Question:** Do you think there are any issues that might lead to the withdrawal of the ability of planning authorities to determine applications without notifying Scottish Ministers?

Response: Repeated failure to adhere to national policy and guidance in determining listed building applications should be a reason for withdrawal of authorisation.

12. **Question:** Do you support the principle of giving planning authorities sole responsibility to issue listed building consent for more straightforward applications?

Response: Yes