Item 9

14th September 2023

Glasgow Community Planning Partnership

Linn Area Partnership

Report by Executive Director of Neighbourhoods, Regeneration & Sustainability

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ENV2/IPG12 OPEN SPACE CONTRIBUTIONS

Purpose of Report:

To provide the Area Partnership with information relating to ENV2/IPG12 Open Space Developer Contributions

Recommendations:

The Area Partnership is asked to note the contents of this report

1. Background

1.1 ENV2: Open Space and Public Realm Provision

City Plan 2 (adopted 2009) included a policy ENV2 which allowed developer contributions to be made towards the offsite provision of open space. The expectation was that most of the open space requirements for a new development would be provided as part of the new development layout, but where this was not feasible, or where there was seen to be a surplus of the type of open space within the area, an equivalent financial contribution could be taken. This financial contribution would be used for:

- Improving the quality, accessibility, or management of open spaces in the local area; and/or
- Enhancing open space provision and management in the same City Plan sector; and/or
- Approved Council strategies to which the development's open space requirements could contribute.

1.2 Glasgow City Development Plan (CDP): IPG12 Delivering Development

Glasgow City Development Plan was adopted by the Council in March 2017, effectively replacing City Plan 2 (2009). The Plan sets out the Council's vision and strategy for land use whilst also providing the basis for assessing planning applications along with its associated Supplementary Guidance.

Supplementary Guidance explains, in detail, how the City Development Plan's policies are to be implemented and are used in the determination of planning applications.

Eight pieces of SG have been adopted by the Council and a further three pieces of SG are being revised. Until these final three pieces of guidance are adopted the Council is operating Interim versions which are called Interim Planning Guidance (IPG).

IPG12 Developing Development guidance currently operates as non statutory planning guidance. Much of the guidance in IPG12 is similar to the ENV2 Development Policy and Design Guidance associated with the previous local development plan. IPG12 outlines the mechanisms the Council will use to secure contributions to deliver on specified infrastructure as well as broader bespoke requirements that may emerge in a particular development or location. It sets out the calculation methodology and protocols for engagement and payment of contributions along with financial viability and cases where exemptions may apply.

The main category of contributions under IPG12 relates to Open Space, but contributions are also taken for Fastlink contributions towards bus corridor routes in certain parts of the city.

New open space contributions are only currently taken under IPG12 (no new ENV2 developer contributions are currently being taken), however, it should

be noted that there remains a legacy of ENV2 funds which are still to be allocated/spent.

2. IPG12 – How it Works

2.1 Open Space Requirements

IPG12 states that all residential development (including conversions) of more than 10 units is required to provide access to good quality recreational open space. This includes provision for each of the following categories: Children's Play areas, Amenity Open Space, Outdoor Sport Facilities, Allotments and Community gardens.

IPG12 states that commercial development within the City Centre of greater than 2,000 sqm gross floor area (including extensions, conversions, changes of use and refurbishments), is required to contribute to the extension, enhancement and maintenance of public realm areas within the City Centre.

Where developers are unable to make full provision for the open space/public realm requirements on site, they are required to enter into a legal agreement (Section 69 or 75) to make a financial contribution towards the enhancement and maintenance of existing Council-owned open spaces or public realm areas, or towards the provision and maintenance of such facilities on Council land.

2.2 How provision of Open Space is assessed

There is an established assessment process in place, which all relevant planning applications are subject to, which:

- identifies the requirements for each of the categories identified above (based on the size and nature of the proposed development
- assesses the suitability of any proposed on-site provision for each of the categories
- determines the amount of shortfall for any of the categories
- translates any shortfall into an equivalent financial contribution for that specific category (using a formulaic calculation set out in IPG12).

Shortfalls for each category are then combined into a total financial open space contribution from the developer. This is then clearly set out in the section 69 or section 75 legal agreement which is tied to the relevant planning application, alongside all relevant terms and conditions. S69 contributions are paid in full prior to a decision notice being issued; S75 contributions tend to be paid in a number of instalments over the course of the development, with the first payment usually at the commencement date of development starting and the remainder on anniversary dates thereafter.

3. ENV2/IPG12 - Allocation of Funds

ENV2/IPG12 funds from a development only become available for allocation/spend once development on the development site has commenced.

The Council has five years from the completion date of the development to allocate/spend such funds on the specific category of amenity space for which they were taken, and to do this in a way that addresses deficiencies in open space provision in the local area. The distance thresholds identified in IPG12 are:

- Children's Play - 300 metres
- Amenity Space and Allotments - 400 metres
- Informal Sport - 500 metres
- Formal Sport - 1,000 metres (with the focus in recent years moving towards sectoral spend).

It should also be noted that this:

- money is only part of the overall funding available across the City for open space. It is held collectively within an NRS account known as the Policy ENV 2-IPG12 Reserve Fund.
- is not a Council budget but is in fact developer contributions which are held until such times as suitable policy compliant projects come forward, and as such, each individual financial contribution is protected by a legal agreement to ensure that money received is spent appropriately on the category of provision for which it was taken.

The Council has an established procedure in place regarding the allocation/spend of funds. In order to apply for funding, any potential projects brought forward by groups/councillors/individuals looking to secure ENV 2/IPG12 funding must comply with the development plan policy criteria as follows:

- It should be on Council owned land, even if it is leased;
- It should comprise the creation or enhancement of a recreational open space, or a building that supports this use, such as sports changing rooms; and
- It should be available for community use, though charges will be applied for bookable facilities such as sports pitches.

Proposals should be supported by as much information as possible and should be discussed in the first instance with the appropriate Service contact. Generally, the responsibilities lie with the following Services:

- Amenity Green Space and Children's Play - Neighbourhood Regeneration Services Greenspace and Biodiversity Team

- Formal and Informal Outdoor Sport - Glasgow Life (Contact Kevin Giddings)
- Allotments - Neighbourhood and Regeneration Services (NRS Greenspace and Biodiversity)
- Public Realm - Neighbourhood Regeneration Services (Planning) for Public Realm (City Centre) and any community amenity proposals outwith Glasgow Parks.

There is a general acceptance that proposals which are clearly tied to existing approved Council Strategies and programmes will be prioritised. It should also be noted the Council Services identified above already have a number of proposals in the pipeline for using some of the ENV2/IPG12 policy reserve fund.

In order for a project to secure ENV2-IPG12 funding under any of the listed categories, the relevant Service as project sponsor would have to be convinced of the projects merits and thereafter, be required to present a detailed costed proposal to the ENV2-IPG12 Project Assessment Group (PAG) for consideration. The PAG working group meets every six weeks and, provided that support is obtained from PAG, and local member consultation supportive, the final stage in the process involves the presentation of the project to the City Administration Committee (CAC) for final approval, where costs exceed £50,000. Projects which require ENV2-IPG12 funding of below £50,000 are approved by the Executive Director of Neighbourhood Regeneration Services (NRS) under delegated powers.

4. ENV2/IPG12 – Available Funds

The Council's Development Plan Team in NRS is responsible for monitoring open space and public realm projects funded by financial contributions received from new residential developments and certain types of commercial development within the City Centre.

Further information on project funding and available funds at individual ward level is available on the Council's website at

Monitoring of Open Space and Public Realm Projects and Developer Contributions

This includes the following:

ENV2 and IPG12 Monitoring Reports
ENV2 and IPG12 Monitoring Reports detail total contributions received, summarise project funds allocated or requested and set out the remaining available balance, by category of open space for each individual Ward.

ENV2/IPG12 Summary Reports
ENV2 and IPG12 Summary Reports detail contributions received and project funding allocated/requested over the last five years and current available

funds by category of open space (including deadline for spend, where applicable) for each individual Ward.

5. Summary

In summary, ENV2 and IPG12 funds are generally available, as detailed in the Monitoring and Summary Reports, for suitable amenity space projects. It should be noted, however, that any projects being brought forward to the Council's PAG Group for consideration will be fully assessed, on a case by case basis, in order to ensure that they are both policy compliant and that they are considered within the context of existing Service department allocation/spend programmes.

6. Recommendations

The Area Partnership is asked to note the contents of this report.