

The Chief Planner
Scottish Government
2 H South, Victoria Quay
Edinburgh
EH6 6QQ

16 January 2017

Dear Sir

Consultation on Raising Planning Fees

The British Aggregates Association thank you for the opportunity to comment on the above consultation. As a trade association representing operators in the aggregates minerals industry, the planning process is a very important part of the regulatory system and one that we work very closely with the Scottish Government to ensure that there is an adequate supply of aggregates to develop the national infrastructure. In Scotland many of the operators in the aggregate supply business are SME companies who play an important part in the rural economy and as such, any changes to the planning system can have serious consequences on their businesses. Whilst we understand the Scottish Government's wish to ensure that the planning system needs to break even and not be a drain on finances; nevertheless we consider that the proposal to increase planning fees for aggregate minerals applications is not justified in this instance for the following reasons.

The consultation states that these changes will not apply to agriculture or aquaculture. If that is the case then why is it being applied to aggregate minerals? Surely aggregates are as important to a modern society as farming and water supply is? After all without aggregates it would be difficult to get products to the market place and there would be no concrete pipes or reservoir dams for the water supply system. Furthermore paragraph 2 of the consultation talks of "limited instances" for agriculture and aquaculture. Surely the same applies to aggregate mineral planning applications which I believe make up less than one per cent of the planning workload. Trebling the planning fees for aggregate operations will have very little affect on the income from fees, but can have a major effect on an SME company trying to keep their business alive.

The consultation paper talks about linking fees to performance. This idea has been mooted for some time now but to date this industry has seen very little evidence of improvement in performance by planning authorities when it comes to mineral planning. Most improvements or rebates only apply to housing companies who are regularly putting in planning applications for housing development, not to mineral planning applications which are relatively rare. However, in fairness to mineral planning authorities, the British Aggregates Association believes that the problem of performance lies with the current planning system. Dealing with a minerals planning application is a time consuming and complex operation for most planning authorities. These types of applications are relatively rare it is therefore not surprising that some planners struggle to complete the work within an acceptable time frame

which often leads to a very dissatisfied applicant and be an unnecessarily costly process. This organisation believes that minerals planning applications should be undertaken by just two or three specialist local authority departments to cover the whole of the country. This way expertise in mineral planning applications can be built up leading to much more efficient and therefore cheaper operation. Simply trebling the fees for mineral planning is not going to improve matters.

When it comes to the “Table of Fees” the paper has failed to recognise the unfairness this will bring to different types of aggregate mineral operators. For example a hard rock quarry operator may have an operation that is four times deeper than a sand and gravel operator. This means that the sand and gravel operator is at a disadvantage because the sand operator will exhaust the area much quicker than the hard rock operator. This is not fair (particularly as there is a shortage of sand in central Scotland), sand operations are nearly always shallower than rock operations.

Finally in conclusion, this industry has suffered severely of late as a result of the fallout from the failure of the Scottish opencast coal industry and the subsequent requirement by many local planning authorities for unrealistic restoration guarantee bonds. Added to this has been the recent spate of unrealistic costs associated with archaeological investigations which arise when there is a mineral planning application. Mineral planning applications are often seen as a licence to print money by some unscrupulous archaeological contractors and the planning system most certainly does not help or see fair play for the mineral planning applicant.

By imposing a swinging increase in mineral planning fees, the government is slowly but surely driving out of business the smaller family quarry operator and this will eventually have an effect on prices and competition in the marketplace.

The British Aggregates Association respectfully request that the Scottish Government do not go ahead and increase the fees for mineral planning applications in this instance.

Yours faithfully

Richard Bird
Executive Officer