

**Midlothian Open Space Strategy and Action Plan****Report by John Blair, Director Corporate Resources****1 Purpose of Report**

This report sets out the results of the public consultation exercise on the Draft Midlothian Open Space Strategy and seeks approval of the finalised Strategy and Action Plan; a copy of which is circulated with the agenda.

**2 Background**

**2.1** The Committee approved the Draft Open Space Strategy and Action Plan for consultation in November 2012.

**2.2** The public consultation ran from 11 February to 11 March 2013 and included:

- A press release to launch the consultation;
- A radio interview on Black Diamond FM by Councillor Thompson;
- Four drop-in sessions in Dalkeith, Loanhead, Penicuik and Gorebridge (between 2pm and 7pm on the 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup> and 26<sup>th</sup> February) with exhibition material and Council staff on hand to answer questions about the Strategy;
- Online publication of the Strategy and Open Space Audit on the Council's web site;
- An online questionnaire and dedicated email contact;
- Use of social media (Facebook and twitter) to encourage discussion on the strategy and provide information about the consultation and planned events;
- Copies of the Strategy, consultation questionnaires and Open Space Audit information made available for inspection at Fairfield House and Council libraries.

**2.3** Attendance at the consultation events was disappointing as was the take up from social media sources. Only three formal submissions were received. Each was supportive of the Strategy and its objectives.

**2.4** Newbattle Abbey College supported the strategy and welcomed the references to protecting the quality of existing open spaces.

**2.5** Newbattle Abbey Crescent Residents Association considered the strategy to make a positive contribution to the protection, maintenance and enhancement of the open spaces in and around Newbattle Abbey Crescent but are concerned about protecting these spaces from further housing development. They want to encourage the Council to change the vision statement to refer to "protecting" as well as creating high quality and well connected open spaces.

- 2.6** One comment from a Sustrans volunteer asked that the Council include cycleways/footpaths in the Strategy as a way of preserving them and developing them in the future. Two particular routes were identified:
- Penicuik-Bonnyrigg-Dalkeith-Whitecraig (National Cycle Routes 1 and 196)
  - Roslin-Loanhead-Straiton Pond (soon to be extended under the City ByPass to link to the Edinburgh cycle path network)
- 2.7** In response to the comments, the current Midlothian Local Plan (MLP) (policies RP29, RP30 and DP2) provides appropriate policy protection and sets standards for the provision and maintenance of open space. The presumption behind policies RP29 and RP30 is against the loss of playing fields and open spaces. The publication of the Strategy will enhance this level of protection and provide a robust evidence base for future decision making.
- 2.8** In addition the current Local Plan is in the process of being replaced. Consultation on the Midlothian Local Development Plan Main Issues Report (MIR) started on 1 May and will run until 31 August 2013. The MIR highlights open space provision and the development of Green Networks (which may include road, rail and river corridors) as key issues for the replacement plan to address. The strategy acknowledges that Green Networks will be developed, principally through the Local Development Plan. In the circumstances the development plan process would be the most appropriate mechanism by which to consider any specific policy changes on open space and/or long distance cycleway/footpath provision and development. Subject to the outcome of that process, the Strategy could be updated and/or amended if required.
- 2.9** No substantive changes have been made to the Strategy as a result of the consultation responses; however, some minor editing and changes to the layout of the document have been undertaken for presentation and publication purposes. The document will be available to view and download from the Council's web site.

### **3 Report Implications**

#### **3.1 Resource**

The consultation and preparation of the finalised Strategy have been accommodated within existing budgets.

#### **3.2 Risk**

The publication of the Strategy is an MLP commitment. Publishing the Strategy will provide further information to help implement the aims and objectives of the MLP, determine planning applications, and inform developers of the main issues and standards relating to existing and/or new and enhanced open space provision. Without up to date and fit for purpose guidance provided by the Strategy there is an increased risk that developments will be implemented without making proper planned provision for open space or consideration of their impact on Midlothian's communities. Equally there is a risk that planning conditions and planning obligations may be challenged.

### 3.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☒ Improving opportunities in Midlothian
- ☒ Sustainable growth
- ☐ Business transformation and Best Value
- ☐ None of the above

### 3.4 Impact on Performance and Outcomes

Preparation and publication of the Strategy is included as part of the Council's service planning programme and competency framework.

### 3.5 Adopting a Preventative Approach

The preparation of the Open Space Strategy is a commitment in the current Local Plan.

### 3.6 Involving Communities and Other Stakeholders

The Strategy has been subject of public consultation and future reviews will also be subject to consultation. The Action Plan focuses on outcomes. The successful implementation of the Strategy will involve the Council working in partnership with agencies, voluntary groups and grant awarding bodies. It will also involve working directly with local communities at a project specific level.

### 3.7 Ensuring Equalities

As no equalities issues were raised during or after the public consultation, it is not considered necessary to carry out a further assessment over and above the one prepared at the Draft Strategy stage. A copy of the Equalities Impact Assessment prepared at that stage is available in the Members' library. As part of the planned monitoring and evaluation process it will be possible to address any equality issues at the agreed review cycles to be scheduled in line with the review of the Midlothian Local Development Plan.

### 3.8 Supporting Sustainable Development

The Strategy reinforces the sustainability objectives identified in the MLP 2008.

All plans, strategies and programmes are subject to Strategic Environmental Assessment (SEA). Screening for SEA on the Draft Strategy was submitted to the Scottish Government's SEA Gateway. They confirmed that a full environmental report was not required and in accordance with the Environmental Assessment (Scotland) Act 2005, a "determination" confirming that the Council did not consider that SEA was required was duly advertised. As there has been no material change to the Strategy following the public consultation, it is considered that SEA is not required for the finalised Strategy.

### 3.9 IT Issues

There are no IT issues associated with this report.

## **4 Recommendations**

**4.1** The Committee is recommended to:

- (i) note the responses to the public consultation; and
- (ii) approve the finalised Midlothian Open Space Strategy and Action Plan for publication.

**Date – 10 May 2013**

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**Background Papers:** None