



**PUBLIC PETITION NO.**

**PE01461**

### **Name of petitioner**

William Campbell

### **Petition title**

Protection for third parties in the planning process

### **Petition summary**

Calling on the Scottish Parliament to urge the Scottish Government to demonstrate how the current planning process ensures planning applicants are unable to interfere with the rights of third parties to object to planning applications and to ensure that appropriate sanctions are in place when it has been shown that the planning applicant has attempted to interfere with these rights by any means.

### **Action taken to resolve issues of concern before submitting the petition**

Following different planning applications, interference by a planning applicant was directed to members of the public causing several to withdraw from further participation in the planning process. The Police were notified but did not take any remedial action. The Local Authority's Councillors were also approached and recommended contact with the Police. The Planning Authority were also notified but stated they could do nothing.

### **Petition background information**

The very nature of why this Petition has been raised is to question what is currently in place to prevent planning applicants interfering in the rights of third parties to participate freely in the planning process and ask for steps to be taken to redress this type of interference and malpractice which appears to be evading any criteria currently set down for prosecution and/or authoritative intervention.

It is believed that this requires more positive addressing and/or be acted upon under new elements of Planning legislation.

Local Authorities implement a Local Plan as part of the Planning process to try to "Ensure effective participation by everyone with a legitimate stake in the Area's future and in particular to enable local people to influence the planning of their own communities". In addition the Scottish Government, a few years back, introduced a White Paper - Your place, Your Plan ; focussing particularly on Public Involvement in the Planning Process. Both of these documents clearly indicate that members of the Public have a legitimate right to participate in the decision making processes, those documents do not grant permission for participants to then be subjected to distressing letters, intimidation, threat or abuse, so causing alarm and anxiety as a result of their

## Planning involvement.

There appears to be no specific safeguards in place to ensure that if a planning applicant does cause alarm or distress by intimidation, distressing letters, threat or abuse, to third parties (or even bribery), that such actions will be considered as a planning offence and will be deemed detrimental to the application. Changes to the planning legislation must now be seriously considered in order to make such interference a prosecutable activity and in addition provide definitive grounds for a refusal when the authority considers any such planning application.

Scotland seems to have a Planning System that is open to suit the needs of anyone who takes it upon themselves to try to jeopardise and thwart by intimidation or otherwise and who seek to interfere with and destroy the due process of the public's right to participate without fear or favour. There are two principal issues involved a) actual interference of third parties rights and b) the removal of members of the public from any further participation in any planning application as a result of distress, fear and anxiety caused.

As no present remedy appears to exist, we (i.e. the Petitioner, with the support of members of the public and the Community Council) therefore urgently call upon the Scottish Parliament's Petitions Committee to take this matter very seriously and request the Scottish Government to seek to stop this type of unacceptable behaviour and make such changes to the Planning system as will offer proper and adequate protection to all Scottish citizens – an issue we firmly believe as being in the public interest.

## Unique web address

<http://www.scottish.parliament.uk/GettingInvolved/Petitions/PE01461>

## Related information for petition

**Do you wish your petition to be hosted on the Parliament's website to collect signatures online?**

NO

**How many signatures have you collected so far?**

1

**Closing date for collecting signatures online**

N/A

**Comments to stimulate online discussion**