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Dear Colleague

CORONA VIRUS COVID 19 – RELAXATION OF ENFORCEMENT OF CONDITIONS RELATING TO RETAIL DISTRIBUTION

Many supermarkets, other retailers and distribution centres are subject to controls which restrict deliveries from lorries and other delivery vehicles to within set hours. These include planning conditions, which are necessary to make the development acceptable to local residents who might otherwise suffer from traffic, noise and other local amenity issues as a result of these deliveries.

Given the exceptional challenges facing the country from the coronavirus however, it is vital that deliveries of food and other essential products over the coming weeks can be made as quickly and safely as possible, minimising disruption to the supply chains on which our communities depend. The likely pressures on driver capacity mean additional flexibility is needed so that retailers can accept deliveries throughout the day and night where necessary.

As well as ensuring effective supply chains, there may also be pressures on retail outlets to vary opening hours. There may be increased demand for stores to be open earlier or later, and allowing people concerned over the risks of exposure to coronavirus to shop at times that avoid more congested periods.

As you will be aware, planning enforcement is a discretionary activity and Scottish Government policy and guidance sets out that planning authorities should act proportionately in responding to suspected breaches of planning control.

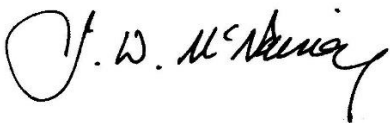
The purpose of this Chief Planner Letter is to make clear that the Scottish Government consider that, as a matter of urgency, planning authorities should take a positive approach to their engagement with food retailers and distributors, as well as the freight industry, to ensure planning controls are not a hard barrier to food delivery over the period of the coronavirus.

Furthermore, a positive approach should be taken in relation to ensuring that stores can remain open to serve the local community.

Given the exceptional challenges from the coronavirus and the resultant temporary pressures placed on relevant retailers and distributors, planning authorities should not seek to undertake planning enforcement action which would result in unnecessarily restricting deliveries of food and other essential deliveries during this time, or in regard to extended store opening times, having regard to their legal obligations.

The Scottish Government recognises that the increased use of night-time deliveries could have a temporary impact on local residents. We will review the need for the measures outlined in this letter after three months, and it is the intention to withdraw it once the immediate urgency has subsided.

Yours faithfully



John McNairney, Chief Planner

Kevin Stewart, Minister for Local Government, Housing and Planning