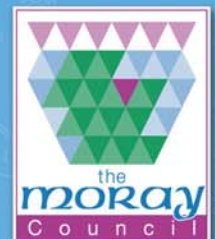




**The Moray Council
DEVELOPMENT PLAN SCHEME**

May 2011





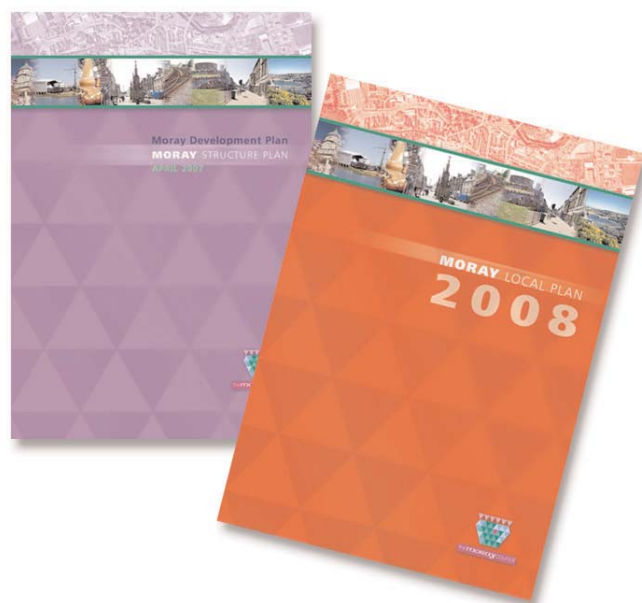
Introduction

The need to prepare a Development Plan Scheme has been introduced by the Planning etc (Scotland) Act 2006. The scheme will set out the Council's proposed timetable for the review and replacement of its Development Plan, and should incorporate a "participation statement" which outlines the proposed consultation arrangements for stakeholder involvement. The Development Plan Scheme has to be reviewed at least annually, and ultimately the Council will be judged on whether the participation statement has been sufficiently adhered to.

Current Position

Currently the Development Plan for Moray comprises the Moray Structure Plan 2007 (approved in April 2007), and the Moray Local Plan 2008 (adopted in December 2008). Development Plan coverage for Moray is therefore relatively up to date.

Under the terms of the Planning etc (Scotland) Act 2006, Moray ceases to be a strategic planning authority, and will no longer have to prepare a Structure Plan. The Local Plan will become a Local Development Plan, with a more strategic outlook and vision than is currently the case in the 2008 version, where this is contained within the Structure Plan.



New Arrangements

The new system will introduce changes to the procedural stages of local plan preparation. There will no longer be a “consultative draft” stage in the new plan. Instead there will be a **“Main Issues Report”** which should outline the issues that have arisen since the last plan, and examine the various options there might be for addressing these. This should be supported by a monitoring statement which details the nature of the changes to the physical, economic, social and environmental characteristics of the area.

Publication of the main issues report should take place before the Council has reached a firm view on the strategy that should be followed, and a number of options or alternatives should be presented, with the Council’s preferred response indicated. The Council’s approach should not be one of “defending” proposals, but one of genuine openness to different ideas.

Extensive engagement remains an integral part of Plan preparation. This stage is important in “front-loading” stakeholder involvement; promoting early discussion on the future development of the area, and thereby remove pressure from later in the process.

Having regard to the representations received to the issues report, the Council then moves on to publishing its **“Proposed Plan”**, which should present a settled view of what form the adopted plan should take. This will be the Local Development Plan, which requires to contain a spatial strategy and a vision statement to explain the Council’s proposed policies and proposals for the development and use of land. It should be a concise, map based document, supported where appropriate by more detailed supplementary guidance. Its preparation must take account of strategies and policies of other agencies, including the National Planning Framework. Engagement and consultation remain an integral part of plan preparation, and now includes the requirement to notify owners and neighbours of sites that are designated for development.

Any unresolved objections will be referred to an **Examination**, to be considered by a reporter appointed by the Scottish Ministers. The Reporter’s findings are largely binding upon planning authorities, and only in particular circumstances may the Authority depart from recommendations.

Councils will be obliged to prepare **Action Programmes**, which set out how they intend to implement the Plan, with a list of actions; who is to carry out the action; timescale for carrying out each action. These programmes are to be subject of consultation with key agencies and anyone else with their name against an action. They should be reviewed, updated and republished at least every 2 years.

To expand on policy content within the Local Development Plan, Authorities can prepare **Supplementary Guidance**, which can ultimately be adopted and become part of the development plan. To do so, the guidance must be subject to consultation, with all representations considered by the Council. The Scottish Ministers must be advised of the outcome of this process, and if not satisfied, may not permit the adoption.

Moray Council Proposals

Moray Council's timetable for the Local Development Plan has been amended since the 2010 Version.

In its annual consideration of the Development Plan Scheme on 19th April 2011, the Planning and Regulatory Services Committee agreed to put back its timetable by six months,

This is a result of several factors

- Deployment of Development Plans staff on other work areas
- Preparations for moving to new premises and a new workstyle (Designing Better Services)
- Extent of work involved pre Main Issues Report, including analysing/responding to over 150 bids for new sites and liaising with key agencies
- The Strategic Defence Review, which has major implications for Morays two RAF bases, the outcome of which will have a significant outcome on population; employment; housing market
- Development rates have fallen sharply and the initial findings of the 2011 Land Audit are showing a considerable supply of effective housing land.

In particular the Strategic Defence Review is a key factor in setting the timeframe for the Local Development Plan. This will impact on a wide range of socio-economic factors and determine what form the Vision Statement; Spatial Strategy; and Economic response will take. Essentially, it sets the context of what should be planned for.

Decisions on key factors will not be made until later in 2011, and it is therefore difficult to complete a Main Issues Report, before then.

The current target for this has been set as going out for consultation on MIR in January 2012.

Pre Main Issues Report

In anticipation of the earlier publication of the Main Issues Report, the Council had already commenced work on the LDP.

Press articles were published on the start of the Review, and this was also featured on the Council's web site. Key Agencies were notified and asked to identify aspects of their service which would require to be incorporated/ revised. A well attended Key Agency meeting was held to further discuss this.

Community Groups were written to and invited to submit comments on planning issues they would wish to see featured. Land owners/ developers/ agents were contacted; advised of the process and asked to submit "bids" for any land/sites they would wish considered for inclusion/ designation.

So early awareness of the process has been generated, originally with the aim of a Main Issues Report in July 2011. As explained above, due to various circumstances, this has been put back by six months.

The Main Issues Report would be subject of engagement and consultation in the following ways, over a six week period.

- Statutory advertisements in local newspapers, with official deposit copies at all Council access points and libraries.
- Local press coverage. There are 4 main local newspapers in circulation and with the use of press releases and direct discussions with reporters, regular articles and updates, a proactive approach to public communication can be achieved.
- Community Planning Partnership. As an existing vehicle with Area Forums, this is an established link with the general public and local agencies. This is an active source of local opinion and issues, and information and views gathered will already have featured in the Monitoring Statement.
- Key agencies and statutory consultees (including community councils) will be written to with comment invited. Many of these bodies will have participated in stakeholder workshops that will be carried out during the monitoring exercises, leading to the production of the issues report.
- Internet. Interactive maps and online response forms will be available on the Councils web site. Council meetings discussing the various stages of the Plan are webcast and thus there is an opportunity to follow political debate.

Drop in exhibitions in afternoons/evenings will be held in locations across Moray – Elgin, Buckie, Keith, Forres, Lossiemouth, Aberlour – where members of the public can come forward for informal discussions with Planning staff to view/discuss issues, options, and alternatives.

Offers to meet with Community Groups will be made.

A Strategic Environmental Assessment and Appropriate Assessment would be carried out in parallel with this process.

The Proposed Plan would be published in January 2013, with the previous 12 months having been used to publish and consult on the Main Issue Report; to analyse responses and report back to Council; prepare to publish the proposed plan. This is slightly longer than the Scottish Government's preferred period of 9 months, in recognition of the Councils staff resources.

Consultation and engagement proposals would be similar to the Issues Report stage, again over a six week period.

- Statutory adverts/deposit copies
- Press releases/press engagement
- Community Planning Partnership
- Statutory consultees
- Internet
- Exhibitions/workshops, and offer of meetings to community groups

In addition the following are also proposed:

- Notification to owners, occupiers and neighbours of designated sites, advising of the proposal.

This would have a closing date for objections of end of February. Analysis of the objections and reporting back to Committee might take a further 3 months. With little allowance for pre-examination negotiations, this would see the submission of the Plan to Ministers in May 2013, and the provision of examination material to the appointed person in June 2013.

The timescale thereafter depends upon the amount/level of objections, and whether the appointed person decides to call any hearings or full inquiry sessions, but allowing 6-9 months, this would see the process completed by March 2014. This might fall just outwith 5 years since the adoption of the current Plan (Dec 2008).

**DECEMBER
2008
LOCAL PLAN
ADOPTED**

Monitor;
data collection;
stakeholder/keyagency
consultation;
prepare Main Issues Report

**JANUARY
2012
PUBLISH MAIN
ISSUES REPORT**

Consultation/engagement
analyse response/
report Committee
prepare and print
Proposed Plan

**JANUARY
2013
PUBLISH
PROPOSED PLAN**

Consultation/engagement
analyse response/
report Committee
submit to Ministers
May 2013

**JUNE
2013
EXAMINATION
REPORTER APPOINTED**

Examination/
consider objections
modifications

MARCH 2014: PLAN ADOPTED