SOUTH AYRSHIRE COUNCIL

PAPER TO LOCAL DEVELOPMENT PLAN PROJECT BOARD MEETING OF 22nd JANUARY 2015

SUBJECT: Local Development Plan Review

---

1.   Introduction and Presentation on Wind Energy

1.1   It is intended to present a report to full Council on 5th March 2015, recommending approval to commence preparation of a new LDP. This is with a view to fulfilling the requirement for the Council to update its LDP on a 5-yearly cycle.

1.2   At the same time as seeking authority to commence work on a new LDP, the planning service will present a comprehensive framework for the management arrangements for the new plan and consultation and engagement. As agreed at the LDP Board meeting in November 2014, the purpose of this Board meeting is to outline and discuss those management and consultation arrangements for the LDP, to existing LDP Board members, prior to any recommendations being made to full Council.

2.   Local Development Plan Board composition and management arrangements

2.1   Alongside approval to commence work on the now adopted South Ayrshire Local Development Plan, the LDP Board was set up, by approval of South Ayrshire Council, to provide an officer-member board to provide ongoing management of the LDP, to, inter alia, ensure the LDP was progressed in line with an agreed timetable, to ensure processes were robust and to steer key policy decisions and site selection. The LDP Board has no formal decision-making responsibility. The LDP Board often met more frequently in the lead-up to key stages in the Plan process, to ensure that when seeking formal approval from Council for any aspect of the Plan, it reflected member expectations, and that member briefings focused appropriately on matters of contention or interest.

2.2   As discussed with LDP Board members at the June and November Board meetings in 2014, it is considered that the Board composition and its management role provided a suitable sounding board for managing the preparation of an LDP, and allowed elected members to steer the content of the LDP, without constraining future formal Council decisions on the LDP (as may have occurred within a formal 'panel' arrangement). It is, therefore, proposed to retain the LDP Board and role for the future LDP.

2.3   The November 2014 LDP Board discussed consultation arrangements for Supplementary Guidance, and the possibility of having an earlier stage of consultation before firm proposals are worked up, namely building in an 'Issues' consultation stage. It is thought that there would be merit in this stage of Supplementary Guidance being agreed by the LDP Board, rather than Leadership Panel and that formal decision making powers be given to the LDP Board for this purpose.

2.4   In terms of LDP Board members, in order to provide a more social and community focussed input to the future LDP, it is intended to recommend the Portfolio carrier for Social Care also sits on the LDP Board, in addition to the existing members.

2.5   As such, it is proposed that the Board is comprised of the following Council positions: -

- Portfolio holder for Economic Development, Tourism and Leisure (Chair);

- Portfolio holder for Sustainability and the Environment;
- Portfolio holder for Housing and Customer First;
- Portfolio holder for Social Services
- Chair and vice chair of Regulatory Panel;
- Chair of Service and Performance Panel; and,
- Chair of Partnerships Panel

2.6   It is proposed to retain the same officer presence at the LDP Board, with the Executive Director of Economy, Neighbourhood and Environment, the Head of Enterprise, Development and Leisure, the Planning Manager, and member(s) of the LDP team as required. It is also proposed to include from time to time other Council officers, where relevant, on specific matters, for example involving ARA on roads issues arising from policy.

2.7   **It is recommended that the Board agree that delegated authority be given to the Board to agree the issues upon which public consultation will be undertaken in the preparation of Supplementary Guidance. It is also recommended that the Board agree the revised composition of the Board, as set out above, and for this to be recommended for Council agreement in March 2015.**

3.   **LDP timetable**

3.1   Scottish Government Planning Circular 6/2013: Development Planning sets out the Government's expectations for the timescale for completing a LDP from commencement to adoption. This indicates that it should take 31 months to prepare and adopt a LDP. This timescale has been reduced since the timetable for the currently adopted LDP commenced. The statutory requirement for development plans is to have an adopted LDP that is no more than 5 years old - 60 months.

3.2   The preparation of the adopted LDP took just over 5 years to adopt from date of commencement. However, it is anticipated that the future LDP can be produced in a significantly shorter period. This is predominantly because almost the entirety of the adopted LDP and associated background assessment work had to be prepared afresh, which added significantly to the amount of time required to complete each phase of the LDP. Having completed the first LDP, however, not only is a lot of the background and technical information in place and expected to be suitable for re-use; Scottish Ministers expect much of the content of development plans to be rolled forward into the future LDP without change, on the basis that it is likely to be up-to-date and relevant. LDPs should focus on key areas of change and early engagement on key issues, to facilitate rapid updates, with change to content only where there is an identified need for change.

3.3   The proposed timetable for the future LDP is based on receiving Council approval to commence a future LDP during March 2015. It reflects the Government's expectations for length of time to prepare a Plan, and seeks to adopt a future LDP within 33 months. The timetable also reflects where the planning service expects to consult with the Community Planning Partnership Board; when key public consultations and engagement will take place; and when approval will be sought from the Council or Leadership Panel for stages of the Plan. The timetable also includes key stages for associated assessments, such as environmental and equalities assessments to ensure integration of those assessments into the content of the LDP.

3.4   **It will be proposed that the timetable, attached as Appendix 1, is agreed by full Council during March 2015, subject to agreement of the Board.**

4.   **Monitoring strategy**

4.1   The early stages of the preparation of the Plan will focus on identifying key areas of change for the LDP. This will require monitoring of current LDP policies to identify where consultation and engagement will be most effective in establishing different policy positions

on key subject areas. A monitoring strategy will be prepared to provide an approach to identifying what elements of the currently adopted LDP are fit for purpose and do not require change, as well as those that do. It is intended to produce a monitoring strategy that will provide a consistent approach to monitoring, provide a comprehensive overview of the success of the adopted LDP, and where change is required.

4.2   The evidence to inform the proposed monitoring statement will be significantly better than that used to inform the preparation of the adopted LDP. Throughout the preparation of the adopted LDP, a significant proportion of the workload related to the preparation of background and supporting information to produce technical studies relating to, for example, housing supply, greenbelt, employment land supply survey and various environmental assessments. All of these technical studies will provide significant information on which to produce a future monitoring report and, indeed, LDP.

4.3   Monitoring the Economy: One of the most critical aspects of the monitoring and engagement in the adopted LDP was the economic appraisal of the LDP vision. This was underpinned by an Oxford Economics study into the impact of the recession on the Scottish economy, with a particular focus on the central belt and implications for public policy. This was undertaken in 2009, and looked towards the likely changes and developments in the economy over a 0-10 year horizon. On reflection, the predictions of this report have largely proven to be accurate. As a result of underpinning the vision for the adopted LDP, the Plan is fundamentally focused on providing a strategy for delivering development that assists and contributes to economic recovery and capitalising on opportunities that offer significant economic benefit and/or resilience in the economy.

It is considered that a similar approach to the future monitoring strategy would be effective in outlining how the adopted LDP has been successful in providing a framework for facilitating development that benefits the local economy. It is therefore proposed to commission Oxford Economics to undertake a study of South Ayrshire's economy to provide an appraisal of the current status of the local economy and provide recommendations as to likely future areas of change, to inform the future LDP. This will provide a useful measure of the success and appropriateness of the adopted LDP vision and required change. It is intended that the outcome of this study will be accompanied with a presentation to officers and elected members to outline the findings. This work will be commissioned, jointly, by the planning and enterprise services.

5.   Consultation and engagement strategy

5.1   A Development Plan Scheme (DPS) will be prepared for approval by the Council, setting out a timetable for the LDP preparation and adoption process, as proposed in Appendix 1. The DPS will also include a Consultation Strategy, which will detail the consultative measures for each stage in the LDP process. The Consultation Strategy will focus on trying more innovative and focussed ways of engaging with the public – the aim being to provide for richer and more in depth engagement. The key actions in the Consultation Strategy will include:

- Planning Forum – refreshing and widening the membership of the Forum; identifying interest areas for members, to focus engagement in specific LDP policy topics; encouraging greater use of electronic consultation/engagement.
- Key Agencies – consult key agencies at the start of the Main Issues Report (MIR) preparation, when they will be asked to comment on submitted sites and again, in between the Main Issues stage and the Proposed Plan. Other significant (non-statutory) stakeholders, including major employers, will also be consulted at these stages.
- Main Issues Report - Extensive public consultation and engagement at Main Issues stage, on areas of change and priority for the Plan. Responses will be used to develop the Proposed Plan. We will work with PAS (formerly Planning Aid Scotland) to employ a range of innovative consultation techniques to achieve wide and meaningful engagement with all

sections of the community. This will include working with young people using the PAS 'IMBY' and 'YEP!' programmes to build awareness of and understanding of planning and place making.

- Proposed Plan – a further, formal public consultation on the Proposed Plan.
- Community Planning – we will engage and align with Community Planning priorities and time frames. Twice-yearly meetings/workshop seminars to be held with Community Planning Partnership to achieve co-ordinated working and strategy development with other Council services and external organisations.

5.2 A revised Consultation Protocol will also be produced, setting out guidance on how we will consult when developing supplementary guidance. This will be aligned with the Council's VOICE process.

Persons to Contact: Neale McIlvanney (Supervisory Planner) – 01292 616648

Date: 13th January 2015

List of Appendices

Appendix 1 – Draft LDP Timetable

Key Stage	LOCAL DEVELOPMENT PLAN	Environmental Assessment (SEA & HRA)	Equalities Impact Assessment	Publication and Consultation Dates	Corporate Engagement
Evidence Gathering	• Publish Development Plan Scheme including Participation Statement • Engage with key agencies • Call for Sites • Gather evidence base and Prepare • Monitoring Statement • Prepare Main Issues Report	• Collate baseline environmental information including about European Sites • Prepare Scoping Report and Submit to SEA Gateway • Consider comments from Consultation Authorities and refine methodology • Environmentally appraise Main Issues Report. Screen to identify implications for European Sites and amend options where necessary in discussion with SNH.	• Prepare EqIA on MIR options • Undertake EqIA on all policies to be rolled forward from previous LDP	**Call for Sites: 30 March 2015 – 8 May 2015 (6 weeks)** **MIR Publication: mid-September 2015** **MIR/ER Consultation: 28 September 2015 – 6 November 2015**	**CMT Update (LDP strategy, MIR topics, development locations – corporate input): June/July 2015** **CPP Update: June/July 2015**
Main Issues Report (MIR)	• Publish Main Issues Report and Monitoring Statement • Consult	• Publish Environmental Report and submit via SEA Gateway. • Continue to consider implications for European sites for preferred options • Consult on Environmental Report (ER)			**SAC Approval: MIR, September 2015**
Proposed Plan	• Consider representations • Prepare Proposed Plan and Action Programme • Committee(s) • Publish Proposed Plan and Proposed Action Programme • Notify neighbours. • Period for representations	• Consider responses • Environmentally appraise Proposed Plan and undertake Appropriate Assessment where required. • Amend Environmental Report if necessary (i.e. if there are significant changes between Main Issues Report and Proposed Plan). • Publish revised Environmental Report if necessary and submit via SEA Gateway. • Prepare HRA Record to include screening (determination of likely significant effects) and if necessary, Appropriate Assessment • Consult where required	• Re-assess any modified policies or proposals, as a result of representation	**Proposed Plan Council publication: April 2016** **Proposed Plan Consultation: 21 March 2016 - 29 April 2016**	**CMT Update (MIR Consultation Outcomes; corporate technical input – evidence) December 2015/January 2016** **CPP Update: December 2015/January 2016** **SAC Approval: Proposed Plan, April 2016**
Submit to Scottish Ministers	• Consider representations • Prepare Summary of unresolved issues • Prepare Report of Conformity with Participation Statement • Committee(s) • Submit to Scottish Ministers • Proposed Plan • Proposed Action Programme, • Report of Conformity with Participation Statement, and • Note of Representations and how taken account • Publicise submission of Plan	• Consider responses • Submit HRA record to Ministers	• No action required	**Submit Proposed Plan for Examination: end November 2016**	**CMT Update (Action Programme): June/July 2015** **CPP Update: June/July 2015** **SAC Approval: Proposed Plan – Submission to Scottish Ministers, October 2016**
Examination	• Examination of Proposed Plan • Examination Report published and submitted to planning authority.	• Reporter refers to Environmental Report •	• No action required	**Examination: October 2016 – March 2017**	**None**
Council	• Planning authority considers recommendations	• Environmentally appraise modified Plan	• Update EqIA to		

Considers Representations	• Proposed Plan modifications • Statement of Explanation for not accepting any recommendations.	• Cary out Appropriate Assessment of modified Plan if required.	reflect Scottish Ministers' modifications. (*Note: development plan regulations do not allow modifications to be rejected on the basis of the EqIA*)	**Re-submit modified Proposed Plan to Scottish Ministers: June 2017**	**CMT Update (LDP Examination Outcomes, Action Programme): April 2017** **CPP Update: April 2017** **SAC Approval: Examined LDP + modifications – Submission to Scottish Ministers, April 2017**
	• Publish Modifications and Proposed Plan as modified. • Advertise intention to adopt Plan. • Send Ministers the Proposed Plan as modified etc.	• Ministers publish revised Environmental Report (and revised HRA Record) if required			
Adoption	• Planning authority adopts plan	• Publish Post-Adoption SEA Statement and submit to SEA Gateway	• No action required	**Adopted: August 2017**	**None**
Publish Action Programme	• Publish Action Programme		• No action required	**Publication: November 2017**	**CMT Update (Agree Action Programme): October 2017**