

4.0 BACKGROUND

- 4.1 The Committee has had two reports in the last year informing them of the introduction of the new Development Plan system, under The Planning, etc. (Scotland) Act 2006. The timetable for its introduction and the importance of the publication of Secondary Legislation to get the new plans underway has been emphasised. The Scottish Government has now published the necessary regulations and a draft Circular, with the legislation expected to come into force at the end of February. This will clear the way for planning authorities to formally commence the preparation of their new plans, under the 2006 Act.
- 4.2 Inverclyde is one of eight local authorities that comprise the new Glasgow and the Clyde Valley Strategic Development Planning Authority (SDPA), established under the 2006 Act. The GCV SDPA is required by statute to prepare a Strategic Development Plan (SDP), to replace the approved GCV Joint Structure Plan. The SDP requires in turn, to have regard to a third statutory plan under the 2006 Act: the second National Planning Framework (2009), due to be passed by Parliament for implementation in the spring.
- 4.3 The Government expects local authorities that are part of the retained two-tier system of development planning in the four City Regions of Scotland, to align the preparation of their new LDPs with the SDP. The Committee in the two reports referred to above have been informed of the implications of this alignment in terms of the likely timescale for the publication of a new LDP for Inverclyde, to replace the current Inverclyde Local Plan adopted in January 2006.
- 4.4 The secondary legislation is contained in The Town and Country Planning (Development Planning) (Scotland) Regulations 2008, and accompanied with a draft Circular x/2009 'Development Planning'. Together these documents provide clear guidance for planning authorities to bring forward their new plans under the 2006 Act. The first stage in the preparation of the new LDP for Inverclyde (outlined in Section 20B of the Act), requires the publication of a **Development Plan Scheme (DPS)**. Closely allied to the DPS is the requirement to publish a **Participation Statement (PS)**.
- 4.5 These 2008 Development Planning Regulations replace the now rather dated former Regulations retained under the Town and Country Planning (Scotland) Act 1997 – the Town and Country Planning (Structure and Local Plans) (Scotland) Regulations 1983.

**Min Refs:
06/03/08,
para 175 &
28/10/08,
para 748**

**Min Ref:
25/10/07,
para 682**

5.0 PROPOSALS

- 5.1 The first Inverclyde Local Development Plan (LDP) under the 2006 Act requires the publication of a Development Plan Scheme (DPS) and a Participation Statement (PS). These two documents are brought before this Committee for endorsement, and for agreement to submit to Scottish Ministers by the 31st March 2009, as required by the new Regulations noted above.
- 5.2 The proposed DPS, attached as Annex 1, confirms and clarifies the anticipated timetable for each of the separate stages of LDP preparation. Being the first DPS, it sets down in some detail the process of LDP preparation and the at times, complex procedures involved. It should be noted that this timetable has been amended again following the publication by the Scottish Government of their Regulations and the above Circular. A summary of the key stages of LDP preparation and production is included in the conclusion to this report (section 8.0), with a link and cross-reference to the current published GCV Strategic Development Plan DPS.
- 5.3 The Proposed PS is attached as Annex 2. The PS more than the DPS will continue to be developed and will evolve as the preparation of the new LDP proceeds through its different stages, with amendments being made to the nature and form of engagement over the coming two to three years.
- 5.4 Both the DPS and the PS will be reviewed on a regular basis and at a minimum,

annually. As indicated, the DPS timetable in a City Region like Glasgow with the continuing two-tier levels making-up the Development Plan will be determined to a large degree upon the timeframe of the higher-level, strategic plan: the Glasgow and the Clyde Valley SDP.

6.0 IMPLICATIONS

6.1 **Legal:** there are no immediate legal implications arising from this report.

6.2 **Finance:** there are no financial implications arising from this report.

Financial implications – one-off costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

Financial implications – annually recurring costs/(savings)

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

6.3 **Personnel:** there are no personnel implications arising from this report.

6.4 **Equalities:** when delivering services to our customers, full cognisance is taken of equality and diversity processes and procedures.

7.0 CONSULTATION

7.1 **Chief Financial Officer:** no requirement to comment.

7.2 **Head of Legal and Administration:** no requirement to comment.

7.3 **Head of Organisational Development and Human Resources:** no requirement to comment.

8.0 CONCLUSIONS

8.1 The Planning etc. (Scotland) Act 2006 requires local planning authorities to prepare a Local Development Plan (LDP) for their area. The LDP is one of two statutory plans that will form the new Development Plan for Inverclyde, the other plan being the Glasgow and the Clyde Valley Strategic Development Plan (SDP). Secondary legislation in the form of Regulations and circulars has been awaited by Planning Authorities in order to implement the new system of Development Planning. Together these documents, which were expected to be brought into force by the end of February 2009, provide clear guidance for planning authorities to bring forward their new plans under the 2006 Act.

8.2 The first stage in the preparation of the new LDP for Inverclyde requires the publication of a Development Plan Scheme (DPS). Closely allied to the DPS is the requirement to publish a Participation Statement (PS). The key stages, and the anticipated timeframe for the DPS, for preparing the first Inverclyde LDP is as follows:

- (1) Publication of DPS and PS – March 2009
- (2) Publication of MIR – May 2011, after publication of the GCV SDP Proposed Plan
- (3) Publication of PP – May 2012, after Scottish Ministers' approval of the SDP PP
- (4) Modifications to PP – October 2012
- (5) Submission to Scottish Ministers – January 2013
- (6) Examination in Public (EiP) – Summer 2013 *

- (7) Report & Mods arising from EiP – December 2013 *
- (8) Adoption of LDP – June 2014 *
- (9) Publication of Action Programme – September 2014 *

Note (*) : these dates are subject to the need for an EiP and Scottish Government involvement ahead of the adoption of the LDP.

8.3 The DPS, and the PS, will be subject to regular review. The DPS is largely indicative at the present time due to the extent to which the Inverclyde LDP will be dependent upon the GCV SDP, and the remaining uncertainties surrounding the key stages of that process. This particularly applies to both the beginning of the process (publication of the SDP MIR) and at the end (publication of the Scottish Minister's approval letter for the SDP PP). The former alone will cause the publication of the Inverclyde LDP to be delayed for a further two years, at a minimum.

8.4 However, as previously reported to Committee, it is intended to bring forward a Monitoring and Update Report to Committee in early course and it is a further requirement of the new Regulations to publish a Monitoring Report alongside the Main Issues Report. Both these documents should help to keep the Development Plan for Inverclyde refreshed and updated over what will be a long period between the current adopted Local Plan and the anticipated date of the adoption of the first Inverclyde Local Development Plan.

**Min Ref:
28/10/08,
para 748**

9.0 BACKGROUND PAPERS

- 9.1
- (1) The Planning etc. (Scotland) Act 2006
 - (2) The Town and Country Planning (Development Planning) (Scotland) Regulations 2008
 - (3) Circular x/2009 'Development Planning' (draft version, 11 December 2008).

ATTACHMENTS

- (1) Annex 1: Inverclyde Local Development Plan – Development Plan Scheme
- (2) Annex 2: Inverclyde Local Development Plan – Participation Statement

Head of Planning and Housing
Cathcart House
6 Cathcart Square
Greenock

13th February 2009

SCC Cmtee - IC LDP: DPS & PS (Mar 09)

INVERCLYDE COUNCIL

INVERCLYDE LOCAL DEVELOPMENT PLAN

Development Plan Scheme

1.0 Introduction

- 1.1 The Planning etc. (Scotland) Act 2006 requires local planning authorities to prepare a Local Development Plan (LDP) for their area. The LDP is one of two statutory plans which make up the Development Plan in an authority such as Inverclyde which is part of one of four City Regions in Scotland: the Glasgow and the Clyde Valley area under a new Strategic Development Planning Authority (SPDA), which is required to prepare a Strategic Development Plan (SDP).
- 1.2 The Development Plan for an area also has to have regard to a third national statutory plan introduced under the 2006 Act – the National Planning Framework for Scotland. NPF2 as it is called, is produced by the Scottish Government and sets out in broad terms Scottish Ministers strategy for Scotland's spatial development and the priorities for that development over a twenty year time period, to 2030. This document is due to come into force in the spring of 2009.
- 1.3 The two statutory plans that comprise the Development Plan under the 2006 Act, and which will come into force on the 28th February 2009, are:
- (i) **Strategic Development Plans:** these strategic-level plans are to replace the current Structure Plans in the four City Regions of Scotland and will be prepared by the SDPAs. The Glasgow and the Clyde Valley SPDA, which comprises the areas of eight local planning authorities, includes Inverclyde. The GCV SDP will set out a long term (20 year) development strategy for the area, indicating the overall general scale of development required and broadly where that development should be located. The Plan will have regard to the NPF and will be approved by Scottish Ministers.
 - (ii) **Local Development Plans:** these plans replace the current local authority Local Plans across Scotland, and will continue to set out a more detailed level of planning, through policies and proposals, to guide development in each local authority. These plans are approved by each local authority, and in the City Regions, require to accord with the approved Strategic Development Plan covering their areas.

2.0 Preparing the Local Development Plan

- 2.1 The preparation and the implementation of the new plans by local authorities – the SDP and LDP – have been set down in the 2006 Act in a series of stages. The first of these stages for both plans (outlined in Section 20B of the Act), is the **Development Plan Scheme (DPS)**. The DPS for the Inverclyde Local Development Plan is the subject of this report, and sets out the intended programme for preparing and reviewing the LDP and what is likely to be involved at each stage. It requires to be reviewed annually.
- 2.2 Closely allied to the DPS is another new requirement of the 2006 Act, the **Participation Statement (PS)**. The purpose of the PS is to state when, how and with whom consultation on the LDP will take place, and an outline of our proposals for public involvement in the plan preparation process. The PS is also required to contain a timetable, specifying the month/year the authority proposes to publish the various stages of the LDP and its expectations for the finalisation of the process leading to adoption of the Plan.

The Main Stages Post Development Plan Scheme and Participation Statement

- 2.3 The stages following the publication of the DPS and PS are:
- (i) Monitoring and the Evidence Base (incl Technical Work Programme):
 - (a) updating and monitoring of the existing Local Plan and evaluating the significant changes that have occurred since its adoption and which will influence the new LDP, in terms of the physical, economic, social and environmental characteristics of the area; and
 - (b) the impact the policies and proposals of the existing plan have had, and an account of the national and strategic planning issues that are relevant to the new LDP.

It is a requirement, under Section 16 of the Act, to publish a **Monitoring Statement** alongside the publication of the next stage, the Main Issues Report.

- (ii) Engage with key agencies, all stakeholders and the public/communities in the Preparation of the Main Issues Report.
- (iii) Publication of **Main Issues Report (MIR)**, and alongside as part of the Strategic Environmental Assessment (SEA), publish the Environmental Report and submit to the SEA Gateway; also publication of an updated **Monitoring Statement**.

* The purpose of the **MIR** is to set out the Authority's general proposals for development in its area and in particular, proposals as to where development should and should not occur. It must also contain one or more reasonable alternative sets of proposals and, draw attention to the ways in which the favoured and alternative proposals differ from the spatial strategy of the existing (adopted) Plan. Each alternative should be covered in the SEA.

- (iv) Consider Representations and prepare the Proposed Plan.
- (v) Publish **Proposed Plan (PP)** and proposed **Action Programme (AP)**, and notify neighbours of significant development proposals.
* The **PP** should represent the Authority's final considered view as to the future development plan for its area, having taken account of the representations received on the MIR, and having assessed the environmental implications of the alternative options in terms of environmental impact and therefore, sustainable development.
- (vi) Publish Statement of Conformity with Participation Statement (PS) and a Note of Representations on, and Objections to, the Plan and how they have been taken into account in the Proposed Plan, including any Modifications.
- (vii) **Publicise Proposed Plan and submit to Scottish Ministers**, and alongside publish a revised SEA Environmental Report if necessary, and submit to the SEA Gateway, and an Appropriate Assessment, if necessary.
- (viii) **Examination in Public of Proposed Plan** (if there are outstanding objections to be resolved).
- (ix) **EiP Report** published and to be considered by the Local Authority.
- (x) Modifications to Proposed Plan (in accordance with the EiP Reporter's recommendations) and a Statement of Explanation for not accepting any recommendations.
- (xi) Publish Modifications and **Proposed Plan, as modified** and advertise intention to adopt LDP.
- (xii) **Planning Authority adopts LDP**
- (xiii) Publish **Action Programme**.
- (xiv) Publish **Post-Adoption SEA Statement** and submit to SEA Gateway.

2.4 According to the Scottish Government in *Circular x/2009 'Development Planning'*, which accompanies the Development Planning Regulations (2008) and the 2006 Act, the process of plan preparation from start to finish should take 3 years and 9 months, on the assumption that it will take a year from the publication of the DPS and PS to publish the Main Issues Report. It has to be said that this is a curious way of assessing the timeframe for the preparation of the new SDPs and LDPs. In the Inverclyde situation, being dependent upon the publication of the Strategic Development Plan 'Proposed Plan', this timeframe is at least two years (refer to para 2.10 below). The time frame between the MIR and the publication of the Proposed Plan is estimated at only 9 months. An Examination in Public, if required should be held just over two years from the publication of the MIR. Thereafter, a Planning Authority should be in a position to advertise its intention to adopt their LDP two and half years from the publication of its MIR, and just over one and a half years from the Proposed Plan being published.

The Inverclyde LDP

- 2.5 A report was placed before the relevant Inverclyde Council Committee in March 2008 outlining the anticipated timeframe for the preparation and production of the first Inverclyde LDP, taking into account the Council's committee cycle (which the above Circular does insufficiently), and noting the extent to which this Authority's LDP will be aligned and 'twin-tracked' with the first GCV SDP. At this time the term 'informal' was used to describe the DPS placed before the Committee, in light of the absence of the published Regulations. This 'informal' commencement of the Inverclyde LDP was publicised on the Council's web site and has elicited, as encouraged in the announcement, a number of representations and expressions of interest by interested parties in the preparation of the first LDP for Inverclyde.
- 2.6 A second update report was placed before the same Council Committee in October 2008 to reflect the publication of a number of Scottish Government documents in the interim which will have a bearing on the DPS and the anticipated timetable for the preparation and adoption of the Inverclyde LDP. The most notable of these was SPP3 '*Planning for Homes*' published in July 2008, and the introduction of new guidance on *Housing Needs and Demand Assessments* (March 2008), as being central to the preparation of the SDPs, for Local Housing Strategies and in turn, LDPs.
- 2.7 Copies of the two Committee reports are available from the Planning and Housing Service. It should also be noted that some of the necessary technical background for the new LDP has already got underway, following the initial announcement in March 2008. This includes a land use survey of the entire urban area, with a particular focus on land used for different forms of open space, with a view to having a comprehensive audit of this land use in advance of the early preparatory work on the LDP. A review of the inner boundary of the Green Belt has also been underway, although the completion of this exercise will be dependent upon staff resources over the coming months.

The Glasgow and the Clyde Valley SDP

- 2.8 The GCV SDPA has prepared a Development Plan Scheme and Participation Statement, available from 'www.gvccore.gov.uk'. This DPS anticipates a MIR for the SDP by March 2010, but importantly states "depending on the work related to the production of the Glasgow and the Clyde valley Housing Need and Demand Assessment required by SPP3 '*Planning for Homes*', this date may be subject to change", ie. delayed until at least September 2010. Despite this real possibility for delay, the SDPA DPS indicates March 2011 for the publication of the Proposed Plan, and with the submission of the finalised SDP to Scottish Ministers in October 2011. An EIP if required and the final Ministerial decision is not expected before the end of 2012.

Implications of Publication of Scottish Government Regulations

- 2.9 However, two other important considerations will determine the timescale for the preparation and publication of the Inverclyde LDP. Firstly, as already reported to the relevant Inverclyde Council Committee during 2008, the Development Plan Scheme for Inverclyde's Local Development Plan requires to be aligned with the Glasgow and the Clyde Valley SDPA's published Development Plan Scheme.
- 2.10 Secondly, with the publication of the Scottish Government's Development Plan Regulations 2008 and associated Circular x/2009, the publication of a Local Authority's **LDP Main Issues Report** in an SDPA area should not come before the publication of the corresponding **SDPs Proposed Plan**; and the submission of a Local Authority's **LDP Proposed Plan** must await the **Scottish Minister's approval of the SDPs Proposed Plan**. With the GCV SDP Proposed Plan timed to be published in March 2011, and the Minister's decision not expected until late 2012, these timings will have the effect of changing once again the anticipated timetable for the preparation and publication of the main stages of the Inverclyde LDP over the coming three to four years.

3.0 Timetable for Inverclyde Local Development Plan Production

- 3.1 Taking all of the above factors and publications into account, the timetable proposed for the preparation and production of the Inverclyde Local Development Plan is set out below.

- **March 2009 – Development Plan Scheme and Participation Statement** to Committee for approval and to publish, and submitted to Scottish Ministers.
- **May 2009 – Monitoring and Update Report** on adopted Local Plan to Committee, to inform key issues for inclusion in the LDP MIR.
- **2009-10 - Continuing Technical Work** on Monitoring and the Evidence Base, to inform the Main Issues Report (base date for MIR – March 2009).
- **March 2011 – Main Issues Report** to Committee for approval and to publish for consultation (dependent on the completion of the strategic Housing Needs and Demand Assessment for the Glasgow and the Clyde Valley SDPA area).
- **May 2011 – Publish the Main Issues Report** (consultation/engagement up to end December), and associated SEA Environmental Report. Alongside the MIR, a **Monitoring Report** is to be published.
- **September 2011 – Report on Consultation and Engagement** on the MIR to Committee for approval.
- **March 2012 – Proposed Plan** to Committee for approval and to publish for consultation (updated base date for PP – March 2010 ?).
- **May 2012 – Publish Proposed Plan** (consultation/engagement and period for objection up to end June 2012), and revised SEA Environmental Report.
- **October 2012 – Report on Modifications** (following representations on the PP) and notification of any unresolved objections, to Committee for approval.

- **January 2013 - Submit Proposed Plan to Scottish Ministers**, and alongside publish a revised SEA Environmental Report if necessary, and submit to the SEA Gateway, and an Appropriate Assessment, if necessary.
- **March 2013** – Report to Committee seeking approval for decisions on unresolved objections to be considered at an Examination in Public (EiP).
- **June 2013 – LDP EiP.**
- **December 2013** – Reporter’s Report on LDP EiP.
- **March 2014** – Report to Committee seeking approval of LDP with Reporter’s recommended Modifications to the Proposed Plan and authority to publish; and approval of intention to adopt Plan.
- **June 2014 – Adoption of first Inverclyde LDP.**

4.0 The Stages of LDP Preparation and Making Representations on the Plan

- 4.1 The accompanying **Participation Statement** outlines in detail what is involved and what is expected through public consultation and stakeholder engagement in the preparation and production of the Inverclyde LDP. Information is provided on the different stages of Plan preparation and production and the different forms and types of engagement and consultation appropriate for each stage.
- 4.2 The **Participation Statement** is a preliminary statement at this stage. It outlines the way in which the Council intends everyone that wishes to be involved in the making of the Inverclyde LDP to do so. The Council will use the full range of means available and appropriate to increase participation and engagement in the Plan-making process. It will use the Scottish Government’s Planning Advice Note (PAN 81) on ‘Community Engagement: Planning with People’ to make the preparation of the first Inverclyde LDP as open to as many people as possible, be they residents of Inverclyde, community groups, voluntary groups, local and ‘big’ businesses, investors, land owners and developers.
- 4.3 A full preliminary outline of the different means and techniques to manage the engagement and consultation strategy is in the Participation Statement.

5.0 Strategic Environmental Assessment

- 5.1 An important new consideration of the 2006 Act, under Section 3E, requires planning authorities to carry out their development planning functions with the objective of contributing to sustainable development. In doing so they must have regard to any guidance Scottish Ministers issue for this purpose.
- 5.2 Central to the new development planning system is the requirement, under The Environmental Assessment (Scotland) Act 2005, to undertake a process known as Strategic Environmental Assessment (SEA) of the new LDP, and the SDP. At

key stages in the preparation of the Inverclyde LDP, the Council will produce an Environmental Report assessing the environmental impact of the Plan's policies and proposals, and of any alternatives there may be to these. The SEA will be prepared in conjunction with the LDP and will be co-ordinated throughout the process. The first main stage – Main Issues Report stage – requires the publication of the Environmental Report. This, and subsequent Environmental Reports, will be the subject of public consultation.

- 5.3 In addition to the SEA, there is also a legal requirement to undertake another process, with the aim of ensuring the protection of designated international environmental resources. This is a process known as Appropriate Assessment, the first publication of this being, if necessary, at the time of the publication of the Proposed Plan.

6.0 Accessing Documents

- 6.1 Inverclyde Council will make available copies of the most up to date documents relating to the production of the Inverclyde LDP, principally through its website 'www.inverclyde.gov.uk'.
- 6.2 Documents will also be made available in hard copy on request, and placed on deposit at all Inverclyde Council local libraries and at the Planning and Housing Service Reception, the address being: Cathcart House, 6 Cathcart Square, Greenock PA15 1LS.
- 6.3 For further information, the Planning Policy Team can be contacted at the above address or by calling 01475 712404, or via the LDP webpage on the Council website, or by e-mailing 'ldp@inverclyde.gov.uk'.

Planning and Housing Service
Inverclyde Council

March 2009

INVERCLYDE COUNCIL

INVERCLYDE LOCAL DEVELOPMENT PLAN

Participation Statement

1.0 Introduction

- 1.1 The Planning etc. (Scotland) Act 2006 requires local planning authorities to prepare a Local Development Plan (LDP) for their area. The LDP is one of two statutory plans which make up the Development Plan in an authority such as Inverclyde which is part of one of four City Regions in Scotland: the Glasgow and the Clyde Valley area under a new Strategic Development Planning Authority (SPDA), which is required to prepare a Strategic Development Plan (SDP).
- 1.2 The Development Plan for an area also has to have regard to a third national statutory plan introduced under the 2006 Act – the National Planning Framework for Scotland. NPF2 as it is called, is produced by the Scottish Government and sets out in broad terms Scottish Ministers strategy for Scotland's spatial development and the priorities for that development over a twenty year time period, to 2030, and is due to come into force in the spring of 2009.
- 1.3 The two statutory plans that comprise the Development Plan under the 2006 Act, and which will come into force on the 28th February 2009, are:
- (i) **Strategic Development Plans:** these strategic-level plans are to replace the current Structure Plans in the four City Regions of Scotland and will be prepared by the SDPAs. The Glasgow and the Clyde Valley SPDA, which comprises the areas of eight local planning authorities, includes Inverclyde. The GCV SDP will set out a long term (20 year) development strategy for the area, indicating the overall general scale of development required and broadly where that development should be located. The Plan will have regard to the NPF and will be approved by Scottish Ministers.
 - (ii) **Local Development Plans:** these plans replace the current local authority Local Plans across Scotland, and will continue to set out a more detailed level of planning, through policies and proposals, to guide development in each local authority. These plans are approved by each local authority, and in the City Regions, require to accord with the approved Strategic Development Plan covering their areas.

2.0 Preparing the Local Development Plan

- 2.1 The preparation and the implementation of the new plans by local authorities – the SDP and LDP – have been set down in the 2006 Act in a series of stages. The first of these stages for both plans (outlined in Section 20B of the Act), is the **Development Plan Scheme (DPS)** and associated as part of this stage is the preparation of a **Participation Statement (PS)**.
- 2.2 The DPS/PS is required to contain a timetable, specifying the month/year the authority proposes to publish the various stages of the LDP and its expectations for the finalisation of the process leading to adoption of the Plan. The DPS/PS requires to be updated annually, and after adoption by the Council, the Act requires the local authority to publish it (including electronically), send two copies to Scottish Ministers and place copies in public libraries. There is no requirement to consult on the content of the DPS/PS.
- 2.3 The **Participation Statement** for the Inverclyde Local Development Plan is the subject of this report, and sets out our intended programme for engaging and consulting on the preparation of the Plan with as wide a range of stakeholders, the public and the communities affected as possible, in order to inform and be informed, of the issues that LDP should rightly cover. Its primary purpose is to state when, how and with whom consultation on the LDP will take place, and an outline of proposals for public involvement in the plan preparation process.

3.0 Participation and Engagement

- 3.1 This Participation Statement is necessarily indicative at the present time. The new procedures and forms of engagement expected on the new SDPs and LDPs will take time to evolve over the coming years, as each of the stages requires different emphasises in terms of engagement and public consultation. Outlined below is an overview of the purpose of the separate stages of LDP preparation and an indication of the form of public consultation and type of engagement expected to be undertaken.

Early Consultation and Engagement on first Inverclyde LDP

- 3.2 In preparation for the first main publication of the new Inverclyde LDP – the Main Issues Report – the Council will undertake Survey, Monitoring and Technical Work, which will be consulted upon. Engagement and consultation will focus on stakeholders' requirements (including the prescribed 'Key Agencies') and what their expectations are for the new Plan. Publicity on the LDP through this stage will focus on encouraging as wide as possible participation on the Plan and the need to submit in good time, any representations the public and interested parties wish to make to the Council for consideration for inclusion in the LDP Main Issues Report. A requirement of the new planning system is the publication of a Monitoring Report alongside the Main Issues Report.

Making Representations on the Main Issues Report

- 3.3 The above survey and technical work, and those representations made and incorporated in the Main Issues Report, will be the subject of wide consultation. This stage of plan-making will set out the issues to be addressed by the LDP and the principal means and options for dealing with them. Public discussion will focus on the range of viable options open to the Council to address the main planning and development issues identified. This stage of Plan preparation will be accompanied with an Environmental Report, outlining the different environmental impacts of different spatial strategies. Also at this stage, respondents will be encouraged to make representations on what could be described as more minor, smaller land use issues, which could be as important to the finalisation of the next stage of the LDP, the Proposed Plan.
- 3.4 Following this stage, the Council will prepare its preferred planning and development strategy for the new LDP, having regard to the national planning agenda – NPF2 - as expressed in the Glasgow and the Clyde Valley SDP, and in accordance with the vision and settlement strategy expressed in the SDPs Proposed Plan.

Making Representations and/or Objections to the Proposed Plan

- 3.5 The Council's preferred plan is the Proposed Plan. This is the Plan the Council would like to see approved, having taken into account stakeholders' and the general public's representations through the previous stage of plan-making, the Main Issues Report stage. The Proposed Plan is subject to further consultation and it is at this stage that objections to the LDP should be made to the Council, but equally support for the Plan would also be welcomed.
- 3.6 Following public consultation on the Proposed Plan, the Council will include any pre-examination modifications it wishes to make in response to representations made in advance of any Examination in Public (EiP) on the LDP. The Council will then submit the Plan to Scottish Ministers, including any unresolved objections, to be heard by an Independent Reporter appointed by the Scottish Government.

The Examination in Public and the Reporter's Report prior to Adoption

- 3.7 As with the current system, unresolved objections will be heard in public at the EiP, and the Reporter having heard the cases presented will present his/her report to the Planning Authority. It will only be in exceptional circumstances that the local authority will be able to reject the Reporter's recommendations [reference here should be had to The Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009].
- 3.8 Thereafter, the Council will be in a position to modify or not, the LDP as recommended by the Reporter, and move to advertise and publish the LDP for adoption.

4.0 Submission of Plan to Scottish Ministers, Examination in Public and Adoption of the Plan

- 4.1 It is anticipated that the first round of SDPs and LDPs will be the subject of considerable interest and scrutiny. As in the previous system of plan-making, it is expected there will be unresolved objections that can only be heard by an independent person appointed by the Scottish Government. Objectors will continue to have the opportunity to have their objections heard by an Independent Reporter at an Examination in Public on the LDP.
- 4.2 Local authorities are required to submit their finalised Proposed Plan (including any Pre-Examination Modifications made as a result of representations received and incorporated into the Plan) to Scottish Ministers, in advance of a request that a person be appointed to examine the Plan, if there are unresolved objections. At this stage, the local authority should also submit its Proposed Action Programme and a Report of Conformity with the Participation Statement, for examination by the Reporter for him/her to determine whether the Authority has consulted on the Plan and involved the public in the way they said they would in their Participation Statement.
- 4.3 The Reporter's Report on the Examination in Public will be largely binding on local authorities (refer to 2009 Regulations noted in para 3.7 above). If any further modifications are to be made, the authority should advertise these along with the Proposed Plan they wish to have adopted, within three months of the receipt of the Examination Report.
- 4.4 The procedures for adoption and the timescales involved thereafter are broadly similar to the current system, with the Authority free to adopt the Plan after 28 days so long as the Scottish Ministers are satisfied that all due process has been satisfactorily undertaken.

5.0 Court of Session Challenge

- 5.1 The final stage in the process, if acted on by any aggrieved party, is the provision in The Planning etc. (Scotland) Act 2006, to challenge the Scottish Ministers' decision to direct that the Plan should be adopted by the planning authority.
- 5.2 Any such persons so aggrieved can apply, within 6 weeks of the date of the first notice of adoption of the Plan, to the Court of Session, to have the Court quash the decision. If it can be shown, in law, that it was not within the powers of the Act to do so, or that the applicant's interests have been substantially prejudiced by a failure to comply with any requirement of the Act, the Court has the powers under the 2006 Act to quash the Plan.

6.0 The Key Elements of the Participation Strategy

- 6.1 The Planning and Housing Service of Inverclyde Council will seek to use as wide a range of methods and approaches as practicable to engage with key stakeholders, the public and communities in general. Outlined below is a preliminary framework for this engagement. Most of these elements of the framework will start in the spring/summer of this year (2009), and continue throughout the Plan preparation process, through the key stages of LDP production, till 2012. Given the imposed lengthy timeframe, the Participation Strategy, like the Development Plan Scheme itself, will be subject to regular review and be updated as required over the coming years.
- 6.2 The Participation Statement cannot be fully comprehensive at this stage and that it is expected to evolve over time through the different stages of Plan preparation. It is expected that the detail and the emphasis will change as we learn what is best in terms of engaging meaningfully with the different interest groups. In view of this, the Participation Strategy, like the Development Plan Scheme as a whole, will be regularly reviewed and potentially new and better techniques will be introduced to maximise consultation and engagement.

Community Engagement

- 6.3 Inverclyde Council is fully committed to encouraging interest and wide stakeholder and public involvement in the preparation of the first Inverclyde LDP. Taking its lead from the Scottish Government's Planning Advice Note (PAN) 81 on 'Community Engagement: Planning with People' (2007), the Council will seek to ensure that:
- arrangements are put in place for participation to be as inclusive, open and transparent as is practicable;
 - information is provided as early as possible and in a form that allows for full consideration;
 - communication is provided through a range of formats and at a range of locations, particularly utilising electronic means, especially through the Council web site and a dedicated local development plan e-mail address;
 - representations are considered and reported to the Council at the appropriate stages and in good time.

Public Participation

- 6.4 The public participation will seek to involve as wide a range of parties as is practicable, including the following:
- public sector (relevant government departments and agencies)
 - private sector (business, housing and retail interests)
 - community groups, including Community Councils
 - voluntary sector organisations
 - single interest organisations (eg. environmental groups)

- 6.5 To fulfil the above principles of engagement and to reach as wide a range of interested parties that have a role in the preparation of the new Plan, Participation and Engagement will comprise of the following elements.

Components of Participation and Engagement

- (1) Database of Consultees/Participants

A database of individuals and organisations interested in the preparation of the LDP will be established by the Planning and Housing Service. This will record and register the participant's name and contact details and will be used to update and advise on progress on the Plan. Interested individuals and organisations can have their details added to the database by using one of a number of contact methods below.

e-mail: *'ldp@inverclyde.gov.uk'*

telephone: 01475 712406

in writing: Planning and Housing Service
Inverclyde Council
Cathcart House
6 Cathcart Square
Greenock
PA15 1LS

- (2) LDP webpage/website

Information on the preparation of the LDP and key LDP documents will be made available on the Inverclyde Council website. Alternatively, a dedicated website will be established.

The webpage/website will offer the opportunity for comments to be made on the Plan or simply for an expression of interest in the Plan process to be made.

- (3) Involving the Public

The Planning and Housing Service will develop a strategy for involving the public in the preparation of the LDP. Participation will be encouraged ahead of the Main Issues Report so that residents of Inverclyde can help shape what those issues are rather than just comment on them. This will be done where relevant and appropriate through calling meetings and having events, including at a community level involving the Community Councils, and could involve 'Planning for Real' techniques. The Council has a 'Citizen's Panel' of some 1,000 households resident in the Authority. The Service will explore the potential of the Panel to be used as a means to engage with the public and perhaps used as a sounding board to gain insights into what is expected of the LDP for Inverclyde.

(4) Inverclyde Council Corporate Communications

The Council's own publication, 'In View' is produced by Corporate Communications and delivered to every householder in Inverclyde (some 37,000), at least three times a year. The Service will explore the potential of this News-sheet to be used to inform residents of Inverclyde of progress on the Plan and of participation events.

(5) Internal Council Consultation

The Planning Policy Team of the Service will meet with other Council services at an early stage to provide information on the preparation of the LDP and the timetable for its preparation, and to discuss their requirements for the new Plan. This will allow their interests and requirements to be considered for inclusion in the Main Issues Report.

(6) Government and Key Agencies Consultation

The Planning and Housing Service will meet with the key agencies with an interest in the Plan throughout the Plan-making process to ensure that their requirements and interests are reflected in the Main Issues Report and the Proposed Plan. An initial meeting will be held with each one to discuss the Plan preparation timetable and the detailed means for their participation.

This grouping would include: relevant Government departments, SEA Gateway members: Scottish Natural Heritage, Scottish Environment Protection Agency, Historic Scotland, and Statutory Bodies, eg. Architecture & Design Scotland; and at the more local level in relation to development issues, Riverside Inverclyde URC, the local RSLs, including River Clyde Homes; Strathclyde Partnership for Transport, Scottish Water, Railtrack, CalMac; and Clyde Muirshiel Regional Park.

(7) Other Stakeholders and Interested Parties

It is expected that other stakeholders and interested parties will be keen to participate in the preparation of the LDP. Parties such as local businesses, retailers, landowners, developers, etc. will all have an interest. The Planning and Housing Service will meet on a one-to-one basis or accept written representations from such parties in order to help shape the LDP Main Issues Report and Proposed Plan.

This grouping would include specifically, the Community Planning Partnership (Members of the Inverclyde Alliance); and private sector development interests, eg. national and local housebuilders, business community (including the largest landowner in the Authority, Peel Holdings (Clydeport plc), and a range of retail and leisure industry interests.

7.0 Conclusion

7.1 The following table provides a summary of the Key Stages in the preparation and production of the first Inverclyde Local Development Plan, and the anticipated timeframe as set out in the accompanying Development Plan Scheme to this Participation Statement. Given the requirement in the four City Regions of Scotland to continue to prepare a Development Plan at two levels – a Strategic Development Plan and the Local Development Plan - the table outlines the current Glasgow and the Clyde Valley Strategic Development Planning Authority's Development Plan Scheme for its first Strategic Development Plan.

Anticipated Timetable for the new SDP and LDP for Inverclyde

	<u>SDP</u>	<u>LDP</u>
Publication of Development Plan Scheme and Participation Statement	March 2009	March 2009
Publication of Main Issues Report	March 2010(*)	May 2011
Publication of Proposed Plan	March 2011	May 2012(#)
Submission of Proposed Plan to Scottish Ministers Examination in Public (EiP) of Plan	October 2011 Summer 2012	January 2013 Summer 2013 (~)
Approval/Adoption of Plan	December 2012	June 2014 (~)

Note : (*) this date remains subject to change depending on the time required on the technical work to prepare a Housing Needs and Demand Assessment for the SDP;

(#) this date is subject the Scottish Ministers approval of the SDP Proposed Plan; and

(~) these dates are subject to the need for an EiP and Scottish Government involvement ahead of the adoption of the LDP.