

---

<b>Report To:</b>	<b>Safe, Sustainable Communities Committee</b>	<b>Date:</b>	<b>6 March 2012</b>
<b>Report By:</b>	<b>Corporate Director Regeneration &amp; Environment</b>	<b>Report No:</b>	<b>R&amp;E/R&amp;P/SSC/ 03/12/FJM/RG002</b>
<b>Contact Officer:</b>	<b>Stuart W Jamieson</b>	<b>Contact No:</b>	<b>712404</b>
<b>Subject:</b>	<b>Inverclyde Local Development Plan: Development Plan Scheme and Participation Statement 2012</b>		

---

### **1.0 PURPOSE**

- 1.1 To seek the endorsement of the Committee to the annual update of the Inverclyde Local Development Plan: Development Plan Scheme (DPS) and Participation Statement (PS) for submission to The Scottish Government and subsequent publication.

### **2.0 SUMMARY**

- 2.1 The Planning, etc. (Scotland) Act 2006 requires each planning authority to prepare a Development Plan Scheme (DPS) which will set out the authority's programme for preparing and reviewing their Local Development Plan (LDP) and what is likely to be involved at each stage. A Participation Statement (PS) must also be prepared which will state when, how and with whom consultation on the Plan will take place, and the authority's proposals for public involvement in the plan preparation process.
- 2.2 The first Inverclyde DPS and PS were prepared, approved by Committee and submitted to The Scottish Government in March 2009. Legislation requires the DPS and PS to be updated at least annually, and approval was given by Committee in March 2010 and 2011 to the updated DPS and PS. This fourth annual update is now the subject of this Committee report.
- 2.3 The main alteration in the DPS being proposed concerns the date for Committee approval for the Proposed Plan changing from May 2012 to August 2012 (Committee dates for 2012/13 still to be confirmed). This will have a knock on effect on the subsequent stages of the Plan, but will not impact upon the final anticipated date for adoption of the LDP in June 2014. The reason for this change is the timing of the forthcoming local Council elections and the need to allow new members the opportunity to become familiar with the Proposed Plan. In addition there is still uncertainty regarding the conclusion of the Examination for the Glasgow and the Clyde Valley Strategic Development Plan – Proposed Plan, which started in December 2011.

### **3.0 RECOMMENDATION**

- 3.1 That Committee approves the publication of the updated 2012 Development Plan Scheme and Participation Statement and its submission to The Scottish Government before 31 March 2012.

**Aubrey Fawcett**  
**Corporate Director Regeneration and Environment**

## 4.0 BACKGROUND

- 4.1 The Regeneration and Planning Service has embarked upon the preparation of the first Inverclyde Local Development Plan (LDP) which will supersede the existing adopted Inverclyde Local Plan (2005). The first stage in this process was the approval of a Development Plan Scheme (DPS) and Participation Statement (PS), a statutory requirement under The Planning, etc. (Scotland) Act 2006.  
**Min Ref:10/03/09, para 18**
- 4.2 The DPS and the PS for the Inverclyde Local Development Plan sets out the Council's intended programme for preparing and reviewing the LDP and what is to be involved at each stage. The DPS also requires a timetable, specifying the month and year in which the Council proposes to publish the various stages of the LDP and its expectations for finalising the process before adopting the Plan. The purpose of the PS is to state when, how and with whom consultation on the LDP will take place and outline the Council's proposals for public involvement in the plan preparation process. These documents require to be reviewed and submitted to the Scottish Government annually.
- 4.3 Inverclyde Council is one of eight planning authorities that comprise the Glasgow and the Clyde Valley Strategic Development Planning Authority (GCVSDPA). As Committee are aware, the GCVSDPA published the SDP Proposed Plan for consultation in June 2011. The Examination of the Plan by the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA) started on 6<sup>th</sup> December 2011 and is unlikely to conclude until April 2012. Thereafter a report on the Examination by the DPEA will follow.  
**Min Ref:30/08/11, para 516**
- 4.4 It is the Government's expectation that local authorities within the 'two tier' planning system will align the preparation of their MIRs and LDPs with the Strategic Development Planning Authority, so a change of date for Committee approval of Inverclyde's Proposed Plan is now being proposed. It is important that any issues arising from the SDP Examination that relate to or could impact upon the Inverclyde area, are given due consideration and, where necessary, taken into account in the Inverclyde Proposed Plan.

## 5.0 PROPOSALS

- 5.1 The current DPS states that the Proposed Plan will be submitted to Committee for approval and published in May 2012. As members are aware, the local Council elections are due to take place in May 2012, with the Committee date being moved to June 2012. It is now proposed however to delay the submission of the Proposed Plan to Committee until August 2012 in order to allow sufficient time for all members to become familiar with the contents of the Plan, and to arrange an All Members briefing to be programmed.  
**Min Ref: 08/03/11, para 180**
- 5.2 This delay also acknowledges the current position of the Examination into the Glasgow and the Clyde Valley Strategic Development Plan - Proposed Plan, and the uncertainty regarding its conclusion and timing of the publication of the Reporter's Examination Report. It should be noted that the anticipated date for adoption of the LDP remains the same, June 2014.

## 6.0 FINANCIAL IMPLICATIONS

### 6.1 Finance:

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	With Effect from	Annual Net Impact	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

## 7.0 CONSULTATIONS

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

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

7.3 **Head of Organisational Development, HR and Performance:** no requirement to comment.

## BACKGROUND PAPERS

### 8.0

- 8.1
- (1) Inverclyde Local Plan 2005 (adopted January 2006), plus
    - (i) Town Centres and Retail Development Alteration (January 2009)
    - (ii) Town Centres and Retail Development Planning Policy Position Statement (May 2008)
    - (iii) Greenock West End Conservation Area Amendment (August 2007) and new Article 4 Direction for the Area (May 2009)
  - (2) Inverclyde Local Development Plan : Development Plan Scheme (March 2011)
  - (3) Inverclyde Local Development Plan : Participation Statement (March 2011)
  - (4) Glasgow and the Clyde Valley Strategic Development Plan : Proposed Plan (June 2011)
  - (5) Glasgow and the Clyde Valley Strategic Development Plan : Development Plan Scheme and Participation Statement (March 2011) [*to be updated to March 2012*]

### Attachments

- (1) Annex 1: Inverclyde Local Development Plan – Development Plan Scheme 2012
- (2) Annex 2: Inverclyde Local Development Plan – Participation Statement 2012

Head of Regeneration and Planning  
Cathcart House  
6 Cathcart Square  
Greenock  
PA15 1LS

10 February 2012

SSC Cmtee: DPS/PS March 2012

## 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 Inverclyde, the other being a Strategic Development Plan (SDP) which requires to be prepared by Glasgow and the Clyde Valley Strategic Development Planning Authority (GCVSPDA).
- 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) produced by the Scottish Government. It 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 came into force in June 2009.
- 1.3 The two statutory plans that comprise the Development Plan under the 2006 Act, and which came into force on the 28<sup>th</sup> February 2009 under The Town and Country Planning (Development Planning) (Scotland) Regulations 2008 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 an authority's proposals for public involvement in the plan preparation process. The DPS 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) Engage with key agencies, all stakeholders and the public/communities in the Preparation of the Main Issues Report.
  - (ii) 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. 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.
  - (iii) Publication of a **Monitoring Statement** which evaluates the changes in the physical, economic, social and environmental characteristics of the area, and the impact the policies and proposals of the existing plan have had.
  - (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 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 of Proposed Plan** (if there are outstanding representations to be resolved).
- (ix) **Report** of Examination published and to be considered by the Local Authority.
- (x) Modifications to Proposed Plan (in accordance with the 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** (to be adopted also within 3 months of LDP).
- (xiv) Publish **Post-Adoption SEA Statement** and submit to SEA Gateway.

2.4 According to the Scottish Government in *Circular 1/2009 '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. The time frame between the MIR and the publication of the Proposed Plan is estimated at only 9 months. An Examination, 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. In the Inverclyde situation, the various stages of plan preparation will continue to follow on from the respective stages of the Strategic Development Plan.

#### The Inverclyde LDP

2.5 Since Committee approval of the first Inverclyde Council Development Plan Scheme and Participation Statement on 10 March 2009, several other stages that are required for the production of a new Local Development Plan have been approved by Committee, and are available on the Council's website, as follows::

- 5 May 2009 – Monitoring and Update Report 2009
- 9 March 2010 – Pre-Main Issues Report Engagement and Consultation (incorporating the 2010 Development Plan Scheme and Participation Statement)
- 8 March 2011 – Development Plan Scheme and Participation Statement 2011

- May 2011 – Main Issues Report
- 25 October 2011 – Main Issues Report – Representations Received

### The Glasgow and the Clyde Valley SDP

- 2.6 The GCV SPA's Proposed Plan was published in June 2011 for public consultation, and submitted to Scottish Ministers in October 2011. An Examination by Reporters from the Scottish Government's Directorate for Planning and Environmental Appeals started on 6<sup>th</sup> December 2011 and is expected to continue beyond the end of March 2012. Details are available on the GCV SPA's website at '[www.gvcsdpa.gov.uk](http://www.gvcsdpa.gov.uk)'. An updated GCV SDPA Development Plan Scheme and Participation Statement outlining the revised timetable is expected to be approved at the March 2012 SDPA Joint Committee, and will be made available on their website.

### **3.0 Timetable for Inverclyde Local Development Plan Production**

- 3.1 The timetable for the preparation and production of the Inverclyde Local Development Plan is set out below. It should be noted that the dates given after May 2013 are dependant upon the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA).

- **March 2009 (and annually thereafter)** – The first **Development Plan Scheme and Participation Statement** approved by Committee, published and submitted to Scottish Ministers.
- **May 2009** – Monitoring and Update Report on adopted Local Plan approved by Committee, to inform key issues for inclusion in the LDP MIR.
- **March 2010** – Committee approval of Pre-MIR Engagement Report.
- **May 2011** – Main Issues Report together with the associated Monitoring Statement and SEA Interim Environmental Report approved for public consultation by Committee and published for 8 week period.
- **October 2011** – Committee report on representations received on the MIR and approval for Post MIR consultation.
- **March 2012** – Committee report on representations received on the Post MIR consultation.
- **August 2012** – Proposed Plan to Committee for approval and to publish for consultation.
- **October 2012** – **Publish Proposed Plan** (period for representations up to end November 2012), and revised SEA Environmental Report.
- **March 2013** – Report on Modifications (following representations on the PP) and notification of any unresolved representations, to Committee for approval.
- **May 2013 - Submit Proposed Plan to Scottish Ministers**, and alongside publish a revised SEA Environmental Report if necessary, and submit to the SEA Gateway. In addition a Habitats Regulations Appraisal under The Conservation (Natural Habitats, etc) Regulations 1994 as amended, will be undertaken.
- **June 2013** – Report to Committee seeking approval for decisions on unresolved representations to be considered at an Examination (if required).

- **August 2013 – LDP Examination.**
- **December 2013 – Reporter’s Report on LDP Examination.**
- **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** outlines the way in which the Council intends to engage with everyone that wishes to be involved in the making of the Inverclyde LDP. 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 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 Strategic Environmental Assessment (SEA) of the new LDP, and the SDP. At key stages in the preparation of the Inverclyde LDP, starting with the MIR stage, 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 will be co-ordinated throughout the process and will be the subject of public consultation.
- 5.3 In addition to the SEA, there is also a requirement to undertake a Habitats Regulations Appraisal under The Conservation (Natural Habitats, etc) Regulations 1994 as amended, with the aim of ensuring the protection of designated international environmental resources, at the time of the publication of the Proposed Plan.



## **6.0 Accessing Documents**

- 6.1 For further information, the Planning Policy Team can be contacted at the above address, by calling 01475 712406, via the LDP webpage or by e-mailing 'ldp@inverclyde.gov.uk'.

Regeneration and Planning Service  
Inverclyde Council

March 2012

# ANNEX 2

## 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 Inverclyde, the other being a Strategic Development Plan (SDP) which requires to be prepared by Glasgow and the Clyde Valley Strategic Development Planning Authority (GCVSPDA).
- 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) produced by the Scottish Government. It 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 came into force in June 2009.
- 1.3 The two statutory plans that comprise the Development Plan under the 2006 Act, and which came into force on the 28<sup>th</sup> February 2009 under The Town and Country Planning (Development Planning) (Scotland) Regulations 2008 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, the early engagement exercise undertaken in 2009 and an indication of the form of public consultation and type of engagement expected to be undertaken in future stages.

### Early Consultation and Engagement on first Inverclyde LDP

- 3.2 In accordance with the publication of the first Development Plan Scheme and Participation Statement in March 2009, a Pre-Main Issues Report engagement exercise has been undertaken, with the aim of giving all interested parties an opportunity to identify the issues that they consider of most importance for the new LDP. Over 150 organisations have been contacted, including local, regional and national partners, key agencies of the Scottish Government, private companies, community and voluntary groups and individuals, who have expressed an interest in the Plan. In addition, all Council services have been contacted to establish what the relationships should be between their plans, proposals and programmes and the emerging LDP. As a result of this exercise, around fifty meetings have been held with public, private and community groups, and considerable correspondence has been exchanged. A range of questions on issues that require to be addressed in the LDP was included in the winter edition

of the Citizens' Panel Questionnaire, where a response of 67% was received, the highest ever achieved in the survey. A Members/Officers Working Group has also been established to discuss progress. All issues that were raised throughout this process were recorded and included within the Pre-MIR Engagement Report, which was approved at Committee in March 2010.

#### The Main Issues Report

- 3.3 Following early engagement, a Main Issues Report was published for an 8 week period between 27 May 2011 and 22 July 2011, and representations sought. Publication was by way of a public notice being placed in the Greenock Telegraph, letters sent to all stakeholders, leaflets, posters and banners distributed and documents deposited in libraries and the main Council offices.. The MIR was accompanied by an Environmental Report, outlining the different environmental impacts of different spatial strategies, as well as a Monitoring Statement which evaluated the changes in the physical, economic, social and environmental characteristics of the area, and the impact the policies and proposals of the existing plan have had.
- 3.4 Sixty-two representations were received to the MIR, each of which are being given full consideration in the preparation of the next stage of the process, the publication of the Proposed Plan. This Plan will be prepared by the Council 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 on the Proposed Plan

- 3.5 The Council's preferred plan is the Proposed Plan. The Proposed Plan is subject to further consultation and it is at this stage that representations on 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 on the LDP. The Council will then submit the Plan to Scottish Ministers, including any unresolved representations, to be heard by an Independent Reporter appointed by the Scottish Government.

#### The Examination and the Reporter's Report prior to Adoption

- 3.7 As with the current system, unresolved representations will be heard in public at the Examination, 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 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 representations that can only be heard by an independent person appointed by the Scottish Government. Objectors will continue to have the opportunity to have their representations heard by an Independent Reporter at an Examination 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 representations. 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 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 Regeneration and Planning Service of Inverclyde Council will continue, as in the past year, to 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 the framework for this engagement. Most of these elements of the framework started in the summer of 2009, and will continue throughout the Plan preparation process, through the key stages of LDP production, until mid 2012. Given the imposed lengthy timeframe, the Participation Strategy, like the Development Plan Scheme itself, has been refreshed and updated as required over the previous years.

### Community Engagement

6.2 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

6.3 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)

6.4 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 has been established by the Regeneration and Planning Service. This records 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: Regeneration and Planning 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.

The 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 Regeneration and Planning Service will continue to develop a strategy for involving the public in the preparation of the LDP. Participation was encouraged ahead of the Main Issues Report so that residents of Inverclyde could help to shape what those issues are rather than just comment on them. This will continue to be done where relevant and appropriate through calling meetings and having events, including at a community level involving the Community Councils and other community organisations. The Council has a 'Citizen's Panel' of some 1,000 households resident in the Authority which will continue to be used as a means to engage with the public 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 continue to use this News-sheet 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 continue to meet with other Council services 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 Regeneration and Planning Service will continue to 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.

This grouping includes: 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, Network Rail, 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 Regeneration and Planning 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, landowners (including one of the largest 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 the first Development Plan Scheme and Participation Statement	March 2009	March 2009
Publication of Main Issues Report	September 2010	May 2011
Publication of Proposed Plan	June 2011	October 2012(#)
Submission of Proposed Plan to Scottish Ministers	October 2011	May 2013(#)
Start of Examination of Plan	December 2011	August 2013 (~)
Approval/Adoption of Plan	December 2012	June 2014 (~)

**Note :**

**(#) these dates are subject to progress of the SDP Proposed Plan**

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

Regeneration and Planning Service  
Inverclyde Council

March 2012