



**The Moray Council  
DEVELOPMENT PLAN SCHEME**

**March 2009**





## Introduction

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

The Development Plan Scheme has to be reviewed at least annually, and ultimately the Council will be judged on whether the participation statement has been sufficiently adhered to.

## Current Position

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

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



## **New Arrangements**

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

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

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

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

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

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

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

### **Moray Council Proposals**

Given the recent adoption of its last Local Plan (December 2008), along with the downturn in the construction sector, and the economy in general, it is felt appropriate to monitor and gather information over the next 2 years and to publish a Main Issues Report in January 2011. This will allow the new Plan to have reached its half way point and allow a realistic assessment of development rates; land take up; policy performance etc to be made, and the nature of the issues to be taken forward. A Monitoring Statement, based on the data gathered would be published at this point.

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

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

Having regard to the level of staff resources available to the Council, it is not proposed to convene a series of public meetings, or to hold drop in sessions at this stage. The offer of meetings with planning officers will be made to community groups, but experience has shown that it takes specific proposals to draw out meaningful responses. Broad brush or strategy consultation has not proven as effective, and as the issues report is likely to be the presentation of options at a higher level, more detailed engagement is considered more appropriate at Proposed Plan stage where site specific proposals are put forward.

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

**The Proposed Plan** would be published in January 2012, with the previous 12 months having been used to publish and consult on the Main Issue Report; to analyse responses and report back to Council; prepare to publish the proposed plan. This is slightly longer than the Scottish Government's preferred period of 9 months, in recognition of the Councils staff resources, and also in order to avoid being out to consultation in the Christmas/New Year period.

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

- Statutory adverts/deposit copies
- Press releases/press engagement
- Community Planning Partnership
- Statutory consultees
- Internet
- Offer of meetings to community groups

In addition the following are also proposed:

- Drop-in exhibitions in afternoon/evenings in Elgin, Buckie, Forres, Lossiemouth, Keith, Aberlour where members of the public can come for informal discussions with planning staff to view/discuss site specific proposals. This format was used in the previous Plan preparation and seemed to work well.
- Notification to owners, occupiers and neighbours of designated sites, advising of the proposal.

This would have a closing date for objections of end of February. Analysis of the objections and reporting back to Committee might take a further 3 months. With little allowance for pre-examination negotiations, this would see the submission of the Plan to Ministers in June 2012, and the provision of examination material to the appointed person in July 2012.

The timescale thereafter depends upon the amount/level of objections, and whether the appointed person decides to call any hearings or full inquiry sessions, but allowing 6-9 months, this would see the process completed by March 2013. This would be within 5 years of the adoption of the current Plan (Dec 2008).

**DECEMBER  
2008  
LOCAL PLAN  
ADOPTED**

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

**JANUARY  
2011  
PUBLISH MAIN  
ISSUES REPORT**

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

**JANUARY  
2012  
PUBLISH  
PROPOSED PLAN**

Consultation/engagement  
analyse response/  
report Committee  
submit to Ministers

**JULY  
2012  
EXAMINATION  
REPORTER APPOINTED**

Examination/  
consider objections  
modifications

**MARCH 2013: PLAN ADOPTED**