

**REPORT TO: DUNDEE, PERTH, ANGUS AND NORTH FIFE
STRATEGIC DEVELOPMENT PLANNING AUTHORITY
JOINT COMMITTEE MEETING ON 24th NOVEMBER 2010**

REPORT ON: SDPA PROJECT PLAN UPDATE

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REPORT NO: SDPA10-2010

1 PURPOSE OF REPORT

1.1 To update the Joint Committee on the progress of the preparation of the TAYplan Strategic Development Plan (SDP).

2 RECOMMENDATION

2.1 It is recommended that The Joint Committee:

- a) note that the Strategic Development Plan is being delivered in line with the approved Project Plan timescales, with the exception of a change to the consultation period;
- b) agrees that the Proposed Plan consultation will commence on 6th June 2011 for a period of 8 weeks until 1st August 2011, subject to approval of the Proposed Plan and related documents in February 2011 and subsequent ratification of these; and,
- c) agrees to update the Project Plan as agreed in August 2009 to align with the timescales set out in this report.

3 FINANCIAL IMPLICATIONS

3.1 The financial implications of delivering the Plan set out in report SDPA 11/2010 on this agenda.

4 PROJECT PLAN UPDATE

4.1 The project plan, as approved by the Joint Committee in August 2009 (Report SDPA 12-2009: SDPA Project Plan Update), continues to be delivered on time. There have not been any delays.

4.2 Preparation of the Proposed Plan is currently ongoing, together with the Proposed Action Programme, the Habitats Regulations Appraisal, Equalities and Human Rights Impact Assessment and other related documents.

- 4.3 The Proposed Plan requires to focus on vision and spatial strategy. The Plan will set out the Strategic Development Planning Authority's (SDPA) view as to what the final content of the Plan should be. It will be a relatively short document focused on key strategic and/or cross boundary issues, e.g. spatial strategy, economy, placemaking and climate change. Members will be briefed as the drafting of the Proposed Plan progresses, ahead of consideration of the Plan at the next Joint Committee in February 2011.
- 4.4 The accompanying Proposed Action Programme will set out the actions required to deliver the Proposed Plan together with who is required to action these and the timescales. This is a new requirement under the new Development Planning System and will be prepared with key stakeholders, e.g. Transport Scotland, Scottish Water.
- 4.5 A Habitats Regulations Appraisal is being prepared in parallel with the Proposed Plan. Subject to there being no changes between the Main Issues Report and the Proposed Plan which significantly implicate the Strategic Environmental Assessment, a statement will be prepared updating the Environmental Report. The Equalities and Human Rights Impact Assessment will also be undertaken in parallel with the ongoing Plan process.
- 4.6 The Proposed Plan, Proposed Action Programme and related documents will be presented to the next Joint Committee in February 2011 for approval for consultation. As agreed in August 2009 (Report SDPA12-2009: SDPA Project Plan Update) a period of 8 weeks will be provided for representations to be made to the Proposed Plan, Proposed Action Programme, and Equalities and Human Rights Impact Assessment.
- 4.7 Ratification of the Joint Committee's decision in February is required by the 4 Constituent Councils. The agreed Project Plan seeks this ratification to be undertaken within 4 weeks of the Joint Committee. On this occasion, ratification by all 4 Councils will not be considered until mid May 2011.
- 4.8 The principle implications of this are firstly, the 8 week consultation period will be delayed, and secondly, additional resources from some of the Constituent Councils will be required to deliver the post consultation work within a much quicker timescale to realign the project timescales. To delay the consultation period until after the summer holidays would result in at least a 4 month delay to the project plan. Such a delay would have implications for the Local Development Plans. Whilst the consultation would run through June and July, communication of the intended consultation period can commence from December through the next edition of TAYplan's newsletter, website etc. All the documents will be in the public domain for the 16th February Joint Committee, and whilst still being subject to ratification, will be available for interested parties to start considering their response well in advance of the consultation commencing.

- 4.9 The consultation period is therefore proposed to commence on 6th June and close on 1st August 2011. No extension of time is proposed to this date and it will be important for representations to be received within this period. It is proposed to hold information events across the TAYplan area during June, advertise twice in the Courier and Press and Journal, and press releases similar to the consultation at the Main Issues Report stage. Briefings would be held in mid/late May for elected members and Community Councils.
- 4.10 Representations should be concise and fully explain the issues that person/organisation wishes to be considered at the examination (Circular 1/2009: 'Development Planning'). There is no automatic opportunity for parties to expand their representations later in the process.
- 4.11 The period for representations is proposed to close on Monday 1st August 2011. Thereafter, it is anticipated that all representations will be grouped into issues around the policies and proposals of the Proposed Plan. Consideration will be given as to whether the SDPA wish to make any modifications to the Proposed Plan prior to submission. The Scottish Government (Circular 1/2009: 'Development Planning', para. 58) highlights that 'from the Proposed Plan stage, Scottish Ministers expect the authority's priority to be to progress to adoption as quickly as possible'. The Circular strongly points out that that 'modifications can cause significant delays and should not be undertaken as a matter of course, but only where the Authority is minded to make significant changes to the Plan'. The Circular goes on to advise 'The examination also provides an opportunity to change the plan, so if authorities see merit in a representation they may so in their response to the reporter, and leave them to make the appropriate recommendations'.
- 4.12 The TAYplan Project Plan, as agreed in August 2009 (Report SDPA12-2009: SDPA Project Plan Update) does not account for modifications being made and consultation thereof. However, the decision on whether to modify the Proposed Plan will be for the 4 Constituent Councils to ratify following the Joint Committee in late October 2011 when considering TAYplan's response to the issues raised through the representations received to the Proposed Plan.
- 4.13 On the basis of no modifications being made, it is now expected that the Proposed Plan, on approval, can be submitted to The Scottish Ministers in late December 2011/early January 2012. If an examination is to be held this would fall into the early part of 2012, with a decision on the Strategic Development Plan by December 2013 (possibly as early as June 2012).
- 4.14 The Project Plan will be updated, subject to approval of this report, to reflect the new timescales and a revised Development Plan Scheme will be prepared for the Joint Committee's consideration in February 2011 for publication.

4.15 The next key stages in the Project Plan are outlined below:

- Process and consider responses to the Main Issues Report, Environmental Report and other documents (July-December 2010);
- Prepare Proposed Plan, the Proposed Action Programme with related documents and assessments (September 2010-January 2011);
- Joint Committee consider Proposed Plan and related documents for formal consultation period (8 week period) together with formal response to comments received to Main Issues Report consultation (16 February 2011);
- Ratification of decisions by the 4 Constituent Councils (by 13 May 2011);
- Publish updated Development Plan Scheme (February/March 2011);
- Publish Proposed Plan and related documents together with formal response to comments on Main Issues Report (June 2011);
- 8 week consultation on Proposed Plan and related documents (6 June-1 August 2011);
- Overview of representations received, grouped into key issues (August 2011);
- Prepare note on representations/unresolved issues (September 2011);
- Joint Committee consider Proposed Plan, Proposed Action Programme and related documents for submission (25 October 2011);
- Ratification of decisions by the 4 Constituent Councils (by 16 December 2011);
- Printing of documents (16-23 December 2011);
- Submission of Proposed Plan, Proposed Action Programme and related documents to The Scottish Ministers (by January 2012);
- Examination of Proposed Plan, Ministers consideration of examination report and decision (December 2011/early January 2011-December 2012);
- Publish approved documents (within 3 months of the Scottish Minister's decision); and,
- Adopt Action Programme and publish within 3 months of the SDP being approved.

5 CONSULTATIONS

5.1 The Treasurer and Clerk to TAYplan, the Director of Infrastructure Services, Angus Council, The Director of City Development, Dundee City Council, The Head of Development Services, Fife Council and the Executive Director (Environment), Perth & Kinross Council have been consulted and are in agreement with the contents of this report.

6 BACKGROUND PAPERS

6.1 Report SDPA12-2009: SDPA Project Plan Update, 25th August 2009.

6.2 Circular 1/2009: Development Planning, The Scottish Government, February 2009.

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12 November 2010