

ABERDEEN CITY COUNCIL

COMMITTEE	Finance and Resources
DATE	22 November 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Adoption of LDP Participation Statement
REPORT NUMBER	COM/23/352
DIRECTOR	Gale Beattie
CHIEF OFFICER	David Dunne
REPORT AUTHOR	John Todd
TERMS OF REFERENCE	3.3

1. PURPOSE OF REPORT

- 1.1 This report updates Members on a recent period of public consultation on the Draft Participation Statement, which forms a key part of the Development Plan Scheme for the preparation of the next Local Development Plan. The report presents a summary of the comments received during public consultation on the Draft Participation Statement, along with officer responses to the consultation comments. It also outlines the modifications to the Draft Participation Statement that are proposed following the consultation.

2. RECOMMENDATIONS

That the Committee:-

- 2.1 Note the comments received during the recent public consultation on the Draft Participation Statement and approve officers' responses to the consultation comments, as outlined in Appendix 1; and
- 2.2 Agree the Draft Participation Statement section of the 2023 Development Plan Scheme (pages 20 to 26 in Appendix 2), and approve its adoption.

3. CURRENT SITUATION

- 3.1 A Development Plan Scheme is a document setting out the authority's programme for preparing and reviewing their Local Development Plan. Within the Development Plan Scheme a Participation Statement is required which the Town and Country Planning (Scotland) Act 1997 sets out as '*an account of when consultation is likely to take place and with whom and of its likely form and of the steps to be taken to involve the public at large in the stages of preparation or review.*'
- 3.2 The Planning Service is required to prepare a Development Plan Scheme (DPS) every year. The 2023 Development Plan Scheme attached as Appendix 2 is the first DPS for the next Aberdeen Local Development Plan (anticipated for adoption in 2028).

- 3.3 The Draft Participation Statement is located at the end of the Development Plan Scheme. It sets out the main bodies and groups who will be engaged during the preparation of the new Local Development Plan. The proposed manner in which stakeholders and the public will be notified of consultation is also set out. Finally, each stage of the new plan process is included, with an explanation as to the purpose and method of consultation proposed. At the Finance and Resources Committee on 5 July 2023, Members approved the 2023 Development Plan Scheme and Draft Participation Statement and instructed Officers to publish it for a period of public consultation seeking comment only upon the Draft Participation Statement (report ref. COM/23/193).
- 3.4 In line with the new requirements of The Planning (Scotland) Act 2019, an eight-week period of public consultation on the Draft Participation Statement was undertaken between 31 July and 25 September 2023. The consultation was publicised through the Local Development Plan newsletter and social media accounts, and the Council's website and social media platforms. Key groups and stakeholders such as Community Councils were notified of the consultation via email. Community groups connected with children and young people and people with disabilities were also contacted by email. The Council's Gypsy and Traveller liaison officer was asked to verbally update members of the Gypsy and Traveller community.
- 3.5 A total of 14 responses were received - 13 responses were submitted via the online consultation hub and one response was received by email. Two of the responses came from Community Councils.
- 3.6 The consultation asked a series of questions about whether respondents agreed with aspects of the Draft Participation Statement as well as asking for more detailed comments where respondents wished to elaborate, such as by suggesting areas where the document could be improved. Respondents were generally supportive of the majority of the Draft Participation Statement. Where more detailed comments were provided, Officers have reviewed these and have proposed changes to the Participation Statement where appropriate. A summary of the overall comments received, Officers' responses to the detailed comments and, where necessary, proposed changes is included in Appendix 1.
- 3.7 The finalised version of the 2023 Development Plan Scheme and the post consultation updated Participation Statement therein is included in Appendix 2.
- 3.8 Subject to approval, the finalised version of the 2023 Development Plan Scheme will be published on the Council's website and two hard copies will be sent to Scottish Ministers for their records.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from this report as the cost of preparing the Development Plan Scheme is met through existing staff time and resource budgets.

5. LEGAL IMPLICATIONS

5.1 The Town and Country Planning (Scotland) Act 1997 requires that a Development Plan Scheme is to be prepared by each planning authority within 1 year after last preparing such a scheme. The 2023 Development Plan Scheme was adopted 5 July 2023, however the Participation Statement section was not adopted at this time. The last Participation Statement which related to the previous Development Plan Scheme was adopted over 1 year ago.

6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no significant environmental implications with regards to the Development Plan Scheme and its Participation Statement.

6.2 The Local Development Plan itself will be subject to Strategic Environmental Assessment.

7. RISK

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	If the Participation Statement isn't timeously adopted then a new plan process will begin without the publication of the part of the Development Plan Scheme that sets out the processes and methods of engagement. This directly conflicts with the Local Outcome Improvement Plan - Stretch Outcome 5 which seeks to ensure that children and young people feel listened to in terms of the consultation process in the preparation of a new Local Development Plan.	Adopt the Participation Statement in order for the Council to comply with legislation prior to a new plan process beginning.	L	Yes

Compliance	Ensuring that the Participation Statement can be adopted at the earliest opportunity in order to comply with the Planning (Scotland) Act 2019.	Agree to adopt the Participation Statement in order for the Council to comply with legislation in a timeous manner.	L	Yes
Operational	Ensuring that the Development Plan Scheme and Participation Statement can be timeously published in order to support the new plan process.	Agree to the Participation Statement being adopted in order for the Council to comply with legislation in a timeous manner which allows for the smooth and transparent operation of the new local development plan process.	L	Yes
Financial	It is important that the planning authority complies with legislation and publishes a Development Plan Scheme including a Participation Statement in a timeous manner prior to the beginning of the new plan process otherwise it leaves the Council open to complaint and possible legal challenge in the future with respect to whether proposed consultation has been sufficiently set out in advance.	Agree to the Participation Statement being adopted in order for the Council to comply with legislation in a timeous manner which allows for the smooth and transparent operation of the new local development plan process.	L	Yes

Reputational	The planning authority has consistently published a Development Plan Scheme with a Participation Statement each year to allow for clarity and transparency of the development plan process. Failure to continue this could damage the Council's reputation as a planning authority.	Agree to the Participation Statement being adopted in order for the Council to comply with legislation in a timeous manner which allows for the smooth and transparent operation of the new local development plan process.	L	Yes
Environment / Climate	Ensuring that the Development Plan Scheme and Participation Statement are in place as they include provision for consultation with bodies, groups and individuals who wish to protect the natural environment and reduce carbon emissions.	Agree to the Participation Statement being adopted in order for the Council to comply with legislation in a timeous manner which allows for the smooth and transparent operation of the new local development plan process.	L	Yes

8. OUTCOMES

<u>COUNCIL DELIVERY PLAN 2022-2023</u>	
Impact of Report	
<p>Aberdeen City Council Policy Statement</p> <p><u>Working in Partnership for Aberdeen</u></p>	<p>The proposals within this report support the delivery of the following aspects of the policy statement:-</p> <ul style="list-style-type: none"> Empowering Aberdeen's Communities – the Development Plan Scheme including the Participation Statement sets out the Council's commitment to working with communities and other entities in the preparation of a new local development plan. This includes collaboration with Community Councils with regards Local Place Plans which may include aspirations of community wealth building and other community assets.

	<ul style="list-style-type: none"> A Transparent, Accessible and Accountable Council - the Development Plan Scheme sets out in Plain English how we will work with communities to develop the next Local Development Plan.
Aberdeen City Local Outcome Improvement Plan 2016-26	
Prosperous People Stretch Outcomes	The proposals within this report support the delivery of LOIP Stretch Outcome 5 by ensuring that children and young people feel listened to in terms of the consultation process in the preparation of a new Local Development Plan.
Regional and City Strategies <u>City Strategies and Strategic Plans</u> Local Development Plan	The proposal within this report supports the production of a future Aberdeen Local Development Plan which will eventually replace the Aberdeen Local Development Plan 2023.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Stage 1 and 2 assessment has been completed and no medium or high negative impacts have been identified that would require mitigation.
Data Protection Impact Assessment	Not required.
Other	N/A

10. BACKGROUND PAPERS

10.1 None.

11. APPENDICES

Appendix 1 – Summary of comments received during the public consultation on the Participation Statement and officer responses to them

Appendix 2 - Development Plan Scheme including Participation Statement

12. REPORT AUTHOR CONTACT DETAILS

Name	John Todd
Title	Planner
Email Address	JTodd@aberdeencity.gov.uk
Tel	01224053786