

## ABERDEEN CITY COUNCIL

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<b>COMMITTEE</b>	Finance and Resources
<b>DATE</b>	07 August 2024
<b>EXEMPT</b>	No
<b>CONFIDENTIAL</b>	No
<b>REPORT TITLE</b>	Development Plan Scheme 2024
<b>REPORT NUMBER</b>	CR&E/24/213
<b>DIRECTOR</b>	Gale Beattie
<b>CHIEF OFFICER</b>	David Dunne
<b>REPORT AUTHOR</b>	Abigail Burrows
<b>TERMS OF REFERENCE</b>	3.3

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### 1. PURPOSE OF REPORT

- 1.1 This report seeks approval of the first annual update to the Development Plan Scheme for the Aberdeen Local Development Plan 2028.

### 2. RECOMMENDATION

That the Committee:-

- 2.1 Approve the content of the Development Plan Scheme 2024 (Appendix 1) and instruct the Chief Officer – Strategic Place Planning to, subject to any minor drafting changes, publish it in accordance with relevant legislation.

### 3. CURRENT SITUATION

- 3.1 A Development Plan Scheme is a document setting out a planning 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, Section 20B (4) (c), 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 update its Development Plan Scheme every year. The initial Development Plan Scheme for the next Aberdeen Local Development Plan (anticipated for adoption in 2028) was approved by the Finance and Resources Committee on 06 July 2023 (COM/23/193). The Development Plan Scheme 2024 attached as Appendix 1 represents the first annual update to the initial Development Plan Scheme.
- 3.3 The Development Plan Scheme sets out and explains each stage of preparing the next Local Development Plan. The first stage concerns production of an Evidence Report, and the Development Plan Scheme outlines in greater detail how the Planning Service will organise and consult upon the Evidence Report in the coming year. Members instructed the Chief Officer – Strategic Place

Planning to undertake the steps necessary to prepare the Evidence Report at the Council meeting on 03 July 2024.

- 3.4 The Town and Country Planning (Development Planning) (Scotland) Regulations 2023, Regulation 22 (2), states that if the timetable included in a Development Plan Scheme for a Local Development Plan differs from that identified within its previous Development Plan Scheme, the Local Authority must identify these changes and set out the reasons for them.
- 3.5 The initial Development Plan Scheme aimed to have the next Local Development Plan in place by circa Q1 2028/29 (Apr-Jun 2028). It included timescales for the first stage of the process (production of the Evidence Report) which, based on experience of the amount of work involved in compiling all of the necessary evidence during the intervening period, did not allow sufficient time for this important stage of plan production. Conversely, it included timescales for later stages of the process which, on reflection, are considered to have been more generous than is likely to be necessary.
- 3.6 Having taken account of these factors, the main change from the initial Development Plan Scheme 2023 is that the updated Development Plan Scheme 2024 allows approximately 6 additional months to produce the Evidence Report. However, it then aims to recover this time by shortening later stages of plan production. This means that the intended adoption date for the new Local Development Plan remains unchanged at circa Q1 2028/29 (Apr-Jun 2028). This is in line with Scottish Government expectations for all local authorities to have a new style Local Development Plan in place by 2028.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 The cost of preparing the Development Plan Scheme and the Local Development Plan will be met through existing budgets.

#### **5. LEGAL IMPLICATIONS**

- 5.1 The Town and Country Planning (Scotland) Act 1997, Section 20B (2) (b), requires that a Development Plan Scheme is to be prepared by each planning authority within one year after last preparing such a scheme. The last Development Plan Scheme was published just under one year ago, and the proposed Development Plan Scheme 2024 therefore complies with this requirement.

#### **6. ENVIRONMENTAL IMPLICATIONS**

- 6.1 There are no significant environmental implications with regards to the Development Plan Scheme. 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?
<b>Strategic Risk</b>	If the Development Plan Scheme is not timeously adopted then a new plan process will begin without the publication of a document 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.	Approve the updated Development Plan Scheme in order for the Council to comply with legislation prior to the new plan process beginning.	L	Yes
<b>Compliance</b>	Ensuring that the Development Plan Scheme can be adopted at the earliest opportunity in order to comply with the Planning (Scotland) Act 2019.	Approve the updated Development Plan Scheme in order for the Council to comply with legislation in a timeous manner.	L	Yes
<b>Operational</b>	Ensuring that the Development Plan Scheme can be timeously published in order to support the new plan process.	Approve the updated Development Plan Scheme in order for the Council to comply with legislation in a	L	Yes

		timeous manner which allows for the smooth and transparent operation of the new local development plan process.		
<b>Financial</b>	It is important that the planning authority complies with legislation and publishes a Development Plan Scheme 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.	Approve the updated Development Plan Scheme 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
<b>Reputational</b>	The planning authority has consistently published a Development Plan Scheme 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.	Approve the updated Development Plan Scheme 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
<b>Environment / Climate</b>	Ensuring that the Development Plan Scheme is in place as it includes provisions for consultation with bodies, groups and individuals who wish	Approve the updated Development Plan Scheme in order for the Council to comply with	L	Yes

	to protect the natural environment and reduce carbon emissions.	legislation in a timeous manner which allows for the smooth and transparent operation of the new local development plan process.		
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## 8. OUTCOMES

<u><a href="#">COUNCIL DELIVERY PLAN 2022-2023</a></u>	
	<b>Impact of Report</b>
<p><b>Aberdeen City Council Policy Statement</b></p> <p><u><a href="#">Working in Partnership for Aberdeen</a></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"> <li>• Empowering Aberdeen’s Communities – the Development Plan Scheme sets out the Council’s commitment to working with communities and other stakeholder 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.</li> <li>• 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.</li> </ul>
<u><a href="#">Aberdeen City Local Outcome Improvement Plan 2016-26</a></u>	
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.
<p><b>Regional and City Strategies</b></p> <p>Local Development Plan</p>	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	New Integrated Impact Assessment has been completed.
Data Protection Impact Assessment	Not required.
Other	N/A

## 10. BACKGROUND PAPERS

10.1 None

## 11. APPENDICES

Appendix 1 – Development Plan Scheme

## 12. REPORT AUTHOR CONTACT DETAILS

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