



---

**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON  
25 FEBRUARY 2020**

**SUBJECT: DEVELOPMENT PLAN SCHEME 2020 - MORAY LOCAL  
DEVELOPMENT PLAN 2020**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT &  
FINANCE)**

**1. REASON FOR REPORT**

- 1.1 This report asks the Committee to consider the current timetable for the preparation of the Local Development Plan (LDP) 2020 and to agree that the Development Plan Scheme (DPS) is submitted to the Scottish Government.
- 1.2 This report is submitted to Committee in terms of Section III (E) (2) of the Council's Scheme of Administration relating to the Review and Preparation of Strategic and Local Plans.

**2. RECOMMENDATION**

- 2.1 **It is recommended that the Committee agrees the Development Plan Scheme 2020 for the Moray Local Development Plan 2020, as set out in Appendix 1 and that the Scheme is submitted to the Scottish Government.**

**3. BACKGROUND**

- 3.1 Planning authorities have a statutory requirement to set out a timetable for the review/production of their LDP in the form of a DPS and to submit this annually to the Scottish Government.
- 3.2 The 2019 DPS was approved at the meeting of this Committee on 29 January 2019 (para 10 of minute refers).

**4. PROPOSALS**

- 4.1 The DPS for 2020 is set out in **Appendix 1** and is intended to be a project management tool to ensure that the LDP is replaced within the statutory 5

year period. The Moray LDP 2015 was approved on 31 July 2015 and the end “target” date is to ensure that the new LDP is adopted by 31 July 2020.

- 4.2 The progress of the LDP is on track with the Proposed Plan submitted for Examination ahead of schedule when compared with key milestones set out in the 2019 DPS, summarised in the table below;

<b>2018/19 Development Plan Scheme targets</b>	<b>Actual</b>
Main Issues Report engagement January to March 2018	Achieved, consultation between January and March 2018.
Report representations to Main Issues Report (MIR) - September 2018	Report submitted to special meeting of this Committee on 25 September (para 3 of minute refers) - completed
Proposed Plan presented to Committee for approval - December 2018.	Report was to be submitted to special meeting of this Committee on 5 December, however this target was not met and the Committee was rescheduled to 18 December.
Prepare Schedule 4's and report objections to Committee- April to August 2019.	Report was approved at a special meeting of this Committee on 25 June 2019.
Submit Proposed Plan for Examination- August 2019.	Plan was submitted at the end of June 2019
Adoption July 2020	Examination is currently in progress, anticipated to be complete end March 2020, then the Plan adopted by end July 2020.

- 4.3 The above programme has been achieved with extensive public engagement at MIR stage, with officers taking part in a pilot Gatecheck as part of the proposed new planning legislation, with more place specific detail included in the Proposed Plan and with an initial Action/Delivery Plan.
- 4.4 The LDP process has five main stages and the Plan is currently at stage 4 (Examination). All unresolved objections have been forwarded to Scottish Ministers with a request for an Examination to be carried out by an independent Reporter. Two Reporters have been appointed and the Examination process is progressing with a number of information requests of varying complexity submitted to the Council, which are being responded to as a priority to minimise delays. The Examination Report is anticipated to be published end March 2020 after which the findings of the Reporter will be advertised as modifications and reported back to this Committee for noting and to agree that the Council submit a “Notice of Intention to Adopt” to the Scottish Government. Members should note that the Reporter’s findings are largely binding on the Council.
- 4.5 An updated Action/ Delivery Programme will support implementation of the Plan and this will be the subject of a future report to this Committee.

## **5. SUMMARY OF IMPLICATIONS**

### **(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

The LDP is a vital aspect of supporting and facilitating the Council's priority for economic growth. The Plan also aims to deliver other key aspects of Moray 2026 including the delivery of affordable housing and conservation and enhancement of our high quality natural and historic environment.

The annual DPS monitors progress of the Plan and is submitted to the Scottish Government to ensure Moray has an up to date LDP, which is a key performance indicator in the Planning Performance Framework (PPF).

### **(b) Policy and Legal**

Preparation of the LDP is a statutory responsibility in the Council's role as Planning Authority. Preparation must follow statutory procedures.

### **(c) Financial implications**

The cost for the Examination of the 2015 LDP was £50,763, significantly lower than the budget of £80,000. A one year budget pressure of £60,000 to cover the cost of Examination for the 2019-20 budget. An estimated cost of £50,000 has been received from the DPEA for the cost of the Examination.

### **(d) Risk Implications**

If the LDP is not replaced within 5 years, this will be identified as a "red" outstanding action in the annual PPF and there will be a reputational risk. There is also a risk that there will be a shortage of effective housing and employment land with a knock on negative effect upon the local economy and delivery of community planning partners' objectives. The introduction of new policies supporting public health reform, climate change, biodiversity and other objectives will be delayed.

### **(e) Staffing Implications**

Preparing the LDP is a statutory requirement and therefore a priority for the Strategic Planning and Development section. At key peaks in workload this can have an impact upon other workload commitments.

Preparation of the LDP and its subsequent delivery involves other services, particularly Transportation, Housing, Education, Estates, Legal, Consultancy and Development Management, which impacts upon workloads and performance.

**(f) Property**

None.

**(g) Equalities/Socio Economic Impact**

There are no equalities issues arising from this report.

**(h) Consultations**

Corporate Director (Economic Development, Planning & Infrastructure), the Head of Development Services, the Legal Services Manager, the Equal Opportunities Officer, Lissa Rowan (Committee Services Officer), the Senior Engineer Transport Development, Paul Connor (Principal Accountant) and the Housing Strategy and Development Manager have been consulted and comments received have been incorporated into the report.

**6. CONCLUSION**

**6.1 Planning authorities are required to annually review their DPS which sets out the timetable for the review/replacement of the LDP.**

**6.2 The 2020 DPS sets out the timetable for the preparation of the Moray LDP 2020 with the target date of approving the new LDP by July 2020.**

Author of Report: Gary Templeton, Strategic Planning and Development Manager

Background Papers:

Ref: