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**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON  
15 SEPTEMBER 2020**

**SUBJECT: MORAY LOCAL DEVELOPMENT PLAN 2020 – DELIVERY  
PROGRAMME ACTION PLAN**

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

**1. REASON FOR REPORT**

- 1.1 This report asks Committee to approve the final version of the Delivery Programme Action Plan prepared to support the delivery of the Moray Local Development Plan (MLDP) 2020.
- 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 committee:**

- (i) approves the Delivery Programme Action Plan set out in Appendix 1 to be submitted to Scottish Government; and**
- (ii) notes the additional funding required to implement the Moray Local Development Plan 2020 and which creates a new budget pressure of £70,000 from 2021/22 onwards.**

**3. BACKGROUND**

- 3.1 Section 11 of the Planning (Scotland) Act 2019 requires planning authorities to prepare a Delivery Programme which must be adopted within 3 months of the adoption of their Local Development Plan for Moray the MLDP 2020.
- 3.2 A Delivery Programme Action Plan has been prepared to support the implementation of the MLDP which was formally adopted on 27 July 2020. The document sets out the actions, timescales and partnerships required to implement the policies and proposals contained within the LDP. An infrastructure first approach is being taken to planning, co-ordination and

delivery of strategic infrastructure, masterplan/growth areas and employment uses to support sustainable growth.

- 3.3 The draft Delivery Programme was originally reported to this Committee as part of the MLDP Proposed Plan on 18 December 2018 (para 5 of the minute refers). There has been extensive consultation on the document with input from internal services, delivery bodies and it was issued for public consultation for a 10 week period as part of the consultation on the Proposed Plan.

#### **4. PROPOSALS**

- 4.1 The Delivery Programme Action Plan set out in **Appendix 1** has been updated to reflect objections reported to this Committee on 25 June 2019 (para 5 of the minute refers) and further changes arising from the Examination process reported to the Emergency Cabinet on 3 June 2020 (para 6 of the minute refers). Additional actions have also been added to reflect emerging priorities and requirements of the Planning (Scotland) Act 2019.

- 4.2 The key additions from the version published in December 2018 are set out below.

- Preparation of a Regional Spatial Strategy setting out strategic priorities to be reflected in National Planning Framework 4 and the need for Local Place Plans which are both new requirements of the Planning (Scotland) Act 2019.
- Preparation of Planning Policy Interpretation Guidance setting out how to achieve a “green” in the quality audit process. This will also incorporate biodiversity enhancement, multi benefit greenspaces and green and blue networks.
- Expanding the Sports and Recreational Facilities Strategy to include greenspaces and requirements for a play sufficiency assessment.
- Updated retail model to support assessment of retail planning applications.

- 4.3 The Delivery Programme is a fluid document which will be used to monitor implementation of the MLDP 2020 and will be reviewed and reported annually to this Committee. The next review of the LDP will begin in 2023 and will be the start of preparation of the first 10 year LDP prepared under the new Planning (Scotland) Act 2019. The new style LDP’s will be more place based and the new National Planning Framework (NPF) 4 which is currently being prepared by Scottish Government will form part of the LDP for future decision making. The programme for review of the LDP 2020 will be set out in the Development Plan Scheme which will be reported to this Committee in January 2021.

- 4.4 There are a number of actions within the Delivery Programme which require additional budget to be delivered. Some of the identified projects support the Moray Growth Deal projects, some support the economic recovery and growth requirements, while others support good community engagement and awareness raising of environmental issues.

#### **5. SUMMARY OF IMPLICATIONS**

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

Supporting the delivery of the LDP is a vital aspect of enabling and facilitating the Community Planning Partnership's priorities for growing a diverse and sustainable economy, building a better future for our children and young people and connecting communities.

**(b) Policy and Legal**

Section 11 of the Planning (Scotland) Act 2019 requires planning authorities to prepare a Delivery Programme.

**(c) Financial implications**

The Strategic Planning & Development Service has an annual LDP budget of £27,000 towards preparing and implementing LDP related work, which is not sufficient to deliver the LDP. An additional £70,000 per annum is required to deliver the Plan, particularly the work related to town centres, which will support economic recovery, and new requirements from the Planning (Scotland) Act 2019 such as preparation and implementation of a regional spatial strategy and supporting the preparation of local place plans.

*Corporate Management Team Additional Expenditure Warning*

*When the council approved the budget for 2019/20 on 27 February 2019 (para 4 of the Minute refers), the three year indicative budget before the council showed savings required in 2020/21 of £12.2 million and £6.7 in 2021/22. Although the final figures will vary, it is clear that the council will have to reduce its costs significantly across all services in future years. All financial decisions must be made in this context and only essential additional expenditure should be agreed. In making this determination the committee should consider:*

- Is there a statutory requirement to incur the expenditure?*
- Are there any alternative actions available to avoid or reduce the cost?*
- Are there alternative ways in which the service could be provided?*
- What are the risks and consequences of not allocating the funding?*
- Does the expenditure contribute to long term financial stability?*

*If in light of these factors the spend is considered essential, Committees should consider how it could be accommodated within the service budget, including what other activity would have to cease or diminish with what impact and risk. Only following these considerations should request be made to the Council for additional budget allocation.*

*If the additional spend recommended in this report is approved, this will increase the savings targets for 2021/22 by £70,000.*

*While in isolation these figures may not be significant, the cumulative impact of all new pressures will require to be taken into account for future years. If the committee recommends additional budget to be allocated this recommendation will be considered in the context of the current overall financial position of the council and in particular in the overall context of spend beyond affordable limits that impinges on the Council's reserves policy position.*

**(d) Risk Implications**

Failure to deliver the actions identified may impact upon the successful implementation of the vision, aims and objectives of the MLDP 2020. This could result in a shortage of effective land for housing and employment uses with an adverse impact on the local economy and delivery of Community Planning Partners objectives. Failure to work with partners to progress employment land will have an effect on economic growth and failing to progress Town Centre proposals will stall regeneration.

**(e) Staffing Implications**

Implementation of the actions within the Delivery Programme requires a significant amount of Strategic Planning and Development staff time and time from other services including Transportation, Education and Housing.

**(f) Property**

There are no property implications identified.

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

An Equalities Impact Assessment (EIA) was undertaken during the preparation of the LDP. The Delivery Programme seeks to support the implementation of the vision, aims and objectives set out within the LDP.

**(h) Consultations**

The Depute Chief Executive (Economy, Environment and Finance), Head of Economic Growth and Development, the Legal Services Manager), Lissa Rowan (Committee Services Officer), the Senior Engineer Transportation, Deborah O'Shea (Principal Accountant), Don Toonen (Equalities Officer) have been consulted and comments received have been incorporated into the report.

**6. CONCLUSION**

**6.1 Committee is asked to approve the Delivery Programme Action Plan which identifies actions, timescales and partnerships required to support the implementation of the vision, aims and objectives of the LDP 2020.**

**6.2 The additional funding required to implement the LDP will be a new budget pressure of £70,000 from 2021/22.**

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Background Papers:

Ref: