

REFERS TO AGENDA ITEM 4 (a)
FALKIRK COUNCIL

Subject: FALKIRK DEVELOPMENT PLAN SCHEME 2013
Meeting: ECONOMIC STRATEGY AND DEVELOPMENT COMMITTEE
Date: 26 FEBRUARY 2013
Author: DIRECTOR OF DEVELOPMENT SERVICES

1. INTRODUCTION

- 1.1 Under the Planning, etc (Scotland) Act 2006, planning authorities have to prepare a Development Plan Scheme at least annually. The purpose of the Development Plan Scheme is to set out the authority's programme for preparing and reviewing their Development Plans, and to explain how the authority will go about consulting people and agencies during the preparation of the plan.
- 1.2 Falkirk Council's first Development Plan Scheme was approved by the Council in 2009, with annual updates in 2010, 2011 and 2012. These confirmed the Council's intention to progress with the replacement of the two tier arrangement of Structure and Local Plans by a single Local Development Plan (LDP), as required by the Act. This report presents the 2013 update of the Development Plan Scheme for consideration by Members.

2. DEVELOPMENT PLAN SCHEME

- 2.1 A copy of the proposed Development Plan Scheme 2013 is attached as Appendix 1. In summary it:
- Explains the current Development Plan framework covering the area;
 - Explains the key stages in preparing the new Local Development Plan (LDP);
 - Outlines the progress already made in the process of preparing the LDP;
 - Sets out an updated timetable for the preparation of the LDP;
 - Confirms the Council's intention with regard to the preparation of supplementary guidance; and
 - Explains how the Council is involving, and will continue to involve people and agencies at each stage of preparing the LDP (participation statement).
- 2.2 Section 3 of the Development Plan Scheme explains the various stages in the LDP process. The Main Issues Report (MIR) stage, which is the main focus of public engagement, was completed early in 2012. Since then, work has focused on considering the representations received, consulting further with key agencies, and preparing the Proposed Plan, which is the next key stage in the process and the point where the Council reaches a settled view of what should be in the final plan. Subject to Council approval, it is anticipated that the Proposed Plan will be published in April 2013.

- 2.3 Following the publication of the Proposed Plan, there will be a further period of consultation. In considering any representations submitted at this stage, the Council may decide to make modifications, prior to its submission to Scottish Ministers and the holding of an Examination (equivalent to the Local Plan Inquiry). Following the Examination, and consideration of the examination report, the Proposed Plan as modified is again submitted to Scottish Ministers and then adopted.
- 2.4 Section 4 outlines the projected timetable for the remaining stages of the LDP. This is complicated by uncertainty as to whether the Council will consider it necessary to promote 'notifiable' modifications prior to submission of the plan to Scottish Ministers. If modifications are 'notifiable' (i.e. add, remove or significantly alter any policy or proposal in the plan), then the plan must be republished for further consultation, and consideration given to any further representations. Consequently, the Development Plan Scheme set out two alternative timetables, with dates as follows:

Timetable without Notifiable Modifications	
Submission of Proposed Plan to Scottish Ministers	February 2014
Examination	February 2014 - September 2014
Submission of Proposed Plan as modified to Scottish Ministers	December 2014
Adoption	February 2015

Timetable with Notifiable Modifications	
Submission of Proposed Plan to Scottish Ministers	May 2014
Examination	May 2014 - December 2014
Submission of Proposed Plan as modified to Scottish Ministers	March 2015
Adoption	May 2015

- 2.5 Section 5 outlines the list of statutory supplementary guidance which it is intended to prepare in conjunction with the LDP.
- 2.6 Section 6 is the participation statement, which sets out the Council's intentions with regard to consultation and public involvement in the LDP process. This remains unchanged from the 2012 version.

3. IMPLICATIONS

- 3.1 Legal: The requirement to prepare a Development Plan Scheme is part of the Planning, etc (Scotland) Act 2006 and its secondary legislation and is binding on the Council in carrying out its development planning functions.
- 3.2 Financial: None
- 3.3 Personnel: None.
- 3.4 Policy: The Falkirk Council Structure Plan and the Falkirk Council Local Plan will remain as the Development Plan policy framework for the Falkirk Council area until replaced by the new Local Development Plan.

4. RECOMMENDATION

- 4.1 That Committee agrees to recommend that the attached Falkirk Development Plan Scheme 2013 is approved and formally adopted by Falkirk Council or other appropriate committee.**

Director of Development Services

Date: 18 February 2013

Contact officer: Alistair Shaw, Development Plan Co-ordinator, ext 4739.

APPENDIX

1. Falkirk Development Plan Scheme 2013.

LIST OF BACKGROUND PAPERS

1. Falkirk Development Plan Scheme 2012.

Any persons wishing to inspect this background paper should contact Alistair Shaw on 01324 504739.