

LOCAL PLACE PLANS

1.0 EXECUTIVE SUMMARY

- 1.1 This report seeks to advise members of one of the measures which has been introduced as part of the Governments work on planning reforms introduced by the Planning (Scotland) Act 2019, with the publication of Local Place Plan Regulations 2021 and Planning Circular 1/2022 Local Place Plans.
- 1.2 Local Place Plans (LPPs) are seen as a way for promoting wider public engagement in the planning process, by enabling local communities to have the opportunity for early involvement in the development plan process, by preparing plans for their area. This report sets out the responsibilities of the Planning Authority with regard to LPPs, the requirements of community bodies preparing LPPs, the duties of the Planning Authority to register LPPs and to take them into account when preparing Local Development Plan 3.
- 1.3 LPPs provide the opportunity for community bodies to prepare and take ownership of place plans for their area. There is no requirement for communities to prepare a LPP, so the extent to which communities may take up this opportunity is unknown. However, a number of communities have been in contact with the Development Plans and Community Planning teams to find out more about LPPs with a view to starting the process. In order to assist this the Development Plans/ Community Planning teams have set up a web page to direct communities to sources of information and potential external funding for LPPs, and have developed a protocol for handling initial enquiries about LPPs from existing staff resources in order to minimise financial pressures on the council as a result of these new duties.
- 1.4 It is recommended that the committee note:
- the publication of the Local Place Plan Regulations 2021 and that in accordance with these Community Bodies may prepare and submit Local Place Plans for registration to the Local Planning Authority.
 - that the primary responsibility for production of Local Place Plans lies with communities.
 - that Councillors are likely to be consulted on Local Place Plans by communities.

- that the Council has set up an information website for the benefit of communities interested in taking forward Local Place Plans.
- the Council will support local communities in production of LPPs by utilising existing resources as outlined in para. 4.11 of this report, and particularly through the use of only holding virtual meetings.

LOCAL PLACE PLANS

2.0 INTRODUCTION

- 2.1 Local Place Plans (LPPs) are part of the Government's wider work on planning reform and implementation of the Planning (Scotland) Act 2019 (the 2019 Act), including steps to reduce conflict, improve community engagement and build public trust in planning matters. They offer the opportunity for a community-led, collaborative approach to creating great local places. LPP can support community aspirations on the big challenges for a future Scotland, such as responding to the global climate emergency and tackling inequalities. It is vital that local people have the opportunity to engage meaningfully and have a positive influence in the future planning of development in their areas. The aim is to significantly enhance public engagement in development planning, effectively empowering communities to play a proactive role in defining the future of their places.
- 2.2 It is expected that LPPs will form part of the early engagement in the evidence gathering and preparation stages of Local Development Plan 3 (LDP3), with these opportunities being highlighted in the Development Plan Scheme for LDP3 as and when it is produced.

3.0 RECOMMENDATIONS

- 3.1 That the committee note:
- the publication of the Local Place Plan Regulations 2021 and that in accordance with these Community Bodies may prepare and submit Local Place Plans for registration to the Local Planning Authority.
 - that the primary responsibility for production of Local Place Plans lies with communities.
 - that Councillors are likely to be consulted on Local Place Plans by communities.
 - that the Council has set up an information website for the benefit of communities interested in Local Place Plans.
 - the Council will support local communities in production of LPP by utilising existing resources as outlined in para. 4.11 of this report, and particularly through holding only virtual meetings.

- 3.2 That the committee note that a web page has been put up to assist communities to prepare Local Place Plans, by providing links to sources of information and potential funding and agree a protocol for handling initial enquiries about LPPs from existing staff resources in order to minimise financial pressures on the council as a result of these new duties.

4.0 DETAIL

- 4.1 Local Place Plans are community-led plans setting out proposals for the development and use of land. Introduced by the 2019 Act, these plans will set out a community's aspirations for its future development. Once completed and then registered by the planning authority, they are to be taken into account in the preparation of the relevant local development plan. Further guidance on the planning authority's invitation to prepare Local Place Plans, and taking into account registered Local Place Plans will be published when the new Local Development Plan Regulations are brought into force.
- 4.2 Many communities have had experience of preparing Community Plans already. Local Place Plans may be very similar, however, there are some fundamental requirements which a Local Place Plan must fulfil before it can be registered as such;
- They must be prepared by a Community Body
 - Be a proposal as to the development or use of land; and
 - fulfil the legal requirements set out in the 1997 Act and the 2021 Regulations.
- 4.3 As LPPs are to be community led they must be prepared by a Community Body. This could either be an established Community Council or another community body which must have a written constitution as defined by section 19 of the Community Empowerment (Scotland) Act 2015.
- 4.4 While the legislation does not prevent multiple LPPs for an area the Scottish Government encourages people and organisations preparing local place plans to work collaboratively where possible. LPPs are to cover proposals as to the development or use of land. So this could include improvements to town or neighbourhood centres, retaining, improving and expanding quality open space, green/blue infrastructure, play facilities, as well as conservation of the built and natural environment. Promotion of sites for housing, employment, or new tourism, or community facilities, could also be included. It is not envisaged that LPPs would address things like litter management, dog fouling, or operation of public transport (routes and timetables).
- 4.5 In preparing a LPP the legislation requires the Community Body to take certain steps which include: having regard to the National Planning Framework, Local Development Plan for the area, and any Locality Plan published for the area. The Community Body will be required to explain how it has had regard to these documents when submitting the Local Place Plan. If

the community feels strongly that the Local Place Plan should diverge from any relevant policies or developments, it should set out clear reasons why the Local Place Plan is departing from it. If the Community Body considers that the Local Development Plan should be amended it must set out why it considers this necessary in a statement accompanying the Local Place Plan.

- 4.6 A Local Place Plan can be a short, clear and visual document which sets out the Community Body's proposals and priorities. The legislation, intentionally, does not over-prescribe how the Community Body presents its proposals to the wider community and the planning authority. The minimum requirements are:
- a) identify the Community Body who prepared the Local Place Plan;
 - b) contain a map that shows the land to which the Local Place Plan relates; and
 - c) contain a statement of the Community Body's proposals as to the development or use of land within the Local Place Plan area.

Where the statement contains a proposal which relates to a specific area of land or particular building the Local Place Plan is to contain a map or maps which identify the location of the land or building. The map showing the Local Place Plan area should also be sufficiently detailed so as to enable the boundaries of the LPP to be identified.

- 4.7 As part of the process of preparing a Local Place Plan, it is expected that Community Councils/Bodies would work collaboratively with their communities and carry out consultations as appropriate. Prior to submitting the Local Place Plan a copy must be sent to each councillor for the LPP area and any community councils whose area is within or adjoins the LPP area, together with an information notice which describes the content and purpose of the LPP and information as to how and to whom any representations on the content of the LPP should be made and the date by which they should be made.
- 4.8 For a planning authority to accept a Local Place Plan as valid, the Community Body must be able to provide evidence that it has complied with the legal requirements as outlined above. In addition the Community Body must also provide a statement setting out its view of the level and nature of support for the LPP and the basis on which it has reached this view, including a description of any consultation in respect of the proposed LPP. There are often differences of opinion within communities and if concerns are raised during the engagement with the community and others the Community Body may wish to show how it has tried to resolve these.
- 4.9 When the planning authority receives the Local Place Plan and accompanying information, it will check it contains all the required information, and that the organisation qualifies as a Community Body. Once registered the local planning authority must take into account any LPP when they are preparing any new LDP. While this will be the primary way for LPPs to influence local planning policies, Community Bodies may wish to consider whether the

proposals contained within the LPP may reasonably form a part of representations on individual planning applications.

- 4.10 Thus the primary responsibility for production of LPP lies with the community and it is important to note that no additional resource of funding has been allocated to planning authorities in connection with this. However, in order to assist communities in this process, the Development Plans and Community Planning teams have set up a web page to direct communities to sources of information and potential external funding for LPP [Local Place Plans \(argyll-bute.gov.uk\)](http://argyll-bute.gov.uk).
- 4.11 In addition they have developed a protocol for handling initial enquiries about LPPs utilising existing staff resources in order to minimise financial pressures as a result of these new duties. The intention is to offer a preliminary virtual scoping consultation meeting with communities wishing to develop LPP. This would involve all relevant Council officers (e.g.: planning, community planning, roads, economic development, amenity services etc... as was relevant). The aim would be to scope information requirements which Council officers may be able to readily assist communities with. Officers will not be able to physically attend Community LPP meetings given the limited staff resources available and the potentially significant numbers of LPP which may come forward across a wide geographical area. However, an agreed relevant officer will be available to virtually attend a consultation event if requested.

5.0 CONCLUSION

- 5.1 LPPs provide the opportunity for community bodies to prepare and take ownership of place plans for their area. Their aim is to significantly enhance engagement in development planning, effectively empowering communities to play a proactive role in defining the future of their places. In order to assist this the Development Plans/ Community Planning teams have set up a web page to direct communities to sources of information and potential external funding for LPPs, and have developed a protocol for handling initial enquiries about LPPs from existing staff resources in order to minimise financial pressures as a result of these new duties. Councillors should note they are likely to be consulted if not asked to be actively engaged with the production of LPPs by their relevant local communities.
- 5.2 Formal requirements to invite Community Councils/Bodies to prepare Local Place Plans, for the Local Planning Authority to provide information on the assistance available to prepare Local Place Plans and to register them will be included in the new Scottish Government Development Plan Regulations. These are expected to be published towards the end of this year and be applicable to the next Local Development Plan cycle.

6.0 IMPLICATIONS

- 6.1 Policy – Local Place Plans provide a new opportunity for local communities to contribute to Local Development Plan policies and proposals
- 6.2 Financial – The Local Place Plan regulations introduce new duties on the Planning Authority. The financial implications are currently unknown as this will be dependent upon the level of interest from communities. The web page and protocol seek to minimise the financial implications for the council.
- 6.3 Legal – The preparation of LDP and the requirements associated with it regarding LPP are statutory duties of the Council's role as Planning Authority.
- 6.4 HR – None
- 6.5 Fairer Scotland Duty:
 - 6.5.1 Equalities - protected characteristics
 - 6.5.2 Socio-economic Duty
 - 6.5.3 Islands

The above issues are assessed as neither positive, or negative, at this stage, however the uptake by communities of the opportunity to develop Local Place Plans will require to be kept under review.
- 6.6 Climate Change – None
- 6.7 Risk – None
- 6.8 Customer Service – Local Place Plans give opportunities for communities to be more involved in the Development Plan process. This may result in additional expectations which we will seek to meet by providing new online resources and virtual meetings.

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APPENDICES

Appendix A: definition of Community Body from Section 19 of the Community Empowerment (Scotland) Act 2015.

Community Empowerment (Scotland) Act 2015

19 Meaning of “community-controlled body”

In this Part, a “community-controlled body” means a body (whether corporate or unincorporated) having a written constitution that includes the following—

- (a) a definition of the community to which the body relates,
- (b) provision that the majority of the members of the body is to consist of members of that community,
- (c) provision that the members of the body who consist of members of that community have control of the body,
- (d) provision that membership of the body is open to any member of that community,
- (e) a statement of the body's aims and purposes, including the promotion of a benefit for that community, and
- (f) provision that any surplus funds or assets of the body are to be applied for the benefit of that community.