

Fife Council's response to the Scottish Government's consultation on effective community engagement in local development planning guidance

Abbreviations used:

LDP – Local Development Plan

LPP – Local Place Plan

The Scottish Government consulted on its guidance on effective community engagement in the local development planning (LDP) process. It is for planning authorities and communities and supports the local development planning approach of the Planning (Scotland) Act 2019, associated new regulations and guidance.

The proposed guidance is a positive step towards creating a more representative local development plan informed by all stakeholders providing a continuous dialogue and interaction. It provides a framework for engagement detailing the expected actions of those participating in the engagement and is aimed at delivering change that communities and other stakeholders require in conjunction with national and regional objectives.

The consultation was promoted to the wider community via X (formerly Twitter) and other social media platforms. The response submitted by Planning Services on the Fife Council's behalf can be found below. The closing date for the consultation was the 13th September 2023.

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Purpose and scope

1. Do you agree that the purpose and scope of the guidance is clear?

Yes. Both the purpose and scope are clear and concise and build on established good practice. Community engagement is essential to creating a local development plan that represents the views and aspirations of all stakeholders.

A targeted approach to reach specific communities such as Gypsies and Travellers who are often underrepresented in planning is welcomed.

Levels of engagement

2. Do you agree that the terms inform, consult, involve, collaborate and empower, as described in the table, are helpful terms to support understanding of different levels of engagement and the influence that results from it?

Yes. The levels of engagement in Table 1 will be helpful for all those involved in understanding what degree and type of engagement that is to be expected. However, there are some concerns regarding managing community and other stakeholder expectations.

Collaborate/Collaborating section - 'We will incorporate your advice and recommendations into decision...' may be over promising what can be in the local development plan and needs to be caveated to manage expectations without undermining the aim.

The wording *'We will implement what you decide...'* in Table 1 Page 11 is too strong. There is a need to look at managing expectations amongst communities especially when we are asking them to be bold and ambitious. Fife Council will not be able to support every need.

The detail for each local development plan stage in Table 2 will assist with transparency and conveying levels of expectations of the Planning Authority to strive to ensure effective participation by communities in the plan preparation stages.

Stage by stage engagement

3. Do you agree that the appropriate levels of engagement have been identified for the stages of local development plan preparation?

Preparing the Development Plan Scheme and Participation Statement

Yes. Inviting comments and reflecting that in the Participation Statement also involves a degree of empowerment to help shape engagement through the plan making process.

Inviting Communities to Prepare a Local Place Plan

The draft guidance suggests that Local Place Plans will ideally be registered in time to inform the Evidence Report. This does not seem realistic for the initial round of LDPs under the new system, in view of Councils' intended timescales for preparing their new LDPs and the realistic timescales for community bodies to prepare and submit a Local Place Plan for registration. In Fife's case, community bodies were invited in May 2022 to prepare Local Place Plans and submit them by January 2024. This meets the legislative requirement in the Planning (Scotland) Act 2019 for the evidence report to set out how the Council has invited Fife's local communities to prepare Local Place Plans and the assistance provided to assist them do so. The timing suggested as ideal in the draft guidance is more likely in subsequent rounds of local development plan preparation.

The recommendation to have a stand-alone invite on the Council's website for Local Place Plans is agreed and the practice employed by Fife Council since 2022.

Evidence Report

It is noted that there is no requirement to undertake a formal consultation on the content of the evidence report (page 21, paragraph 3.6). That does present a question over how areas of dispute and agreement can be identified for presentation to the LDP gate check. Fife Council has identified a proportionate way of identifying likely or known areas of support or disagreement on the evidence report but would want to be satisfied the person(s) appointed to conduct the gate check will take a pragmatic approach and understanding of that rather than expect a full and comprehensive consultation of a 'draft' evidence report.

Gate Check

See previous comment on gate check and proportionality.

Preparing the Proposed Local Development Plan

Fife Council agrees that the objective of preparing a place based and relevant LDP requires both the involvement of and collaboration with community interests and sectoral stakeholders.

Consulting on the Proposed Local Development Plan

The move to a 12-week minimum consultation compared to the previous system's 6 weeks is welcomed. It represents a more realistic period for stakeholders to engage with and respond to the published Proposed LDP.

Modifying the Proposed Local Development Plan and Examination

No comments on this stage which reflects existing practice.

Adopting the Local Development Plan

No comments on this stage which reflects existing practice.

Delivery Programme

No comments on this stage which reflects existing practice for action programmes. The importance of the new programme for monitoring delivery and financial planning does underline the need for a firm

commitment from all key agencies to discharge their duty to cooperate with the programme's preparation.

4. Do you agree that the appropriate levels of engagement have been identified for the impact assessments?

Impact Assessments

Yes. It should be recognised, however, that the nature of the impact assessments is unlikely to attract the same level of engagement as the LDP and delivery programme.

Further Consultation Questions

5. Overall, is the approach set out in the guidance helpful?

Yes, the guidance provides clarity for all stakeholders with respect to the types of engagement at each stage of the plan preparation and conveys the responsibilities of the Planning Authorities when engaging with communities.

6. Do you have any views about the initial conclusions of the impact assessments that accompany and inform this guidance?

No view.

7. Thinking about the potential impacts of the guidance – will these help to advance equality of opportunity, eliminate unlawful discrimination, and foster good community relations, in particular for people with protected characteristics?

It is difficult to say how much the guidance will advance these efforts, however it is important that the Council engages where it can with all communities – in its widest definition - and make efforts at all stages to do so, learning from feedback as we go.

8. Do you have evidence that can further inform the impact assessments that accompany this guidance, in particular in relation to the impact of the guidance on people with protected characteristics, businesses and costs to businesses?

No comments on the conclusions in the impact assessment.

9. Please provide any further comments on the guidance set out in this consultation.

No further comments.