

**ABERDEEN CITY & SHIRE**  
**STRATEGIC DEVELOPMENT PLANNING AUTHORITY**

**Date: 26 March 2010**

**Title: Public Information Notices – Consultation Response**

**1 Purpose of Report**

1.1 The purpose of this report is to request that the Strategic Development Planning Authority (SDPA) homologate an officer response sent on behalf of the SDPA to the Scottish Government consultation on public information notices.

**2 Background**

2.1 The Scottish Government published a consultation on proposed amendments to legislation governing the newspaper advertisement of public information notices (<http://www.scotland.gov.uk/Publications/2009/12/PINconsultation>) on 17 December 2009, with a closing date of 12 February 2010.

2.2 The consultation proposed replacing statutory newspaper advertisement for a number of public information notices with a requirement to give notice via an online public information notice portal. The proposals cover changes to 12 Acts and 16 Regulations ranging from the Antisocial Behaviour etc (Scotland) Act 2004 to the Zoo Licensing Act 1981 and included the Town and Country Planning (Scotland) Act 1997 and the Town and Country Planning (Development Planning)(Scotland) Regulations 2008.

**3 Issues raised by the consultation**

3.1 Although statutory notices placed in association with the preparation of local development plans are covered by the consultation proposals, those required to be placed by the SDPA during the preparation of a strategic development plan and its associated strategic environmental assessment are not.

3.2 The current regulations require at least six, and up to nine, separate notices to be published at a current cost of at least £800 each, but often considerably more.

3.3 As a consequence of the format of the consultation, no justification has been given for the inclusion or exclusion of particular categories of notice. In any event, the inclusion of local development plans but the exclusion of strategic development plans and strategic environmental assessment would appear hard to justify.

## **4 Proposed Response**

- 4.1 Due to the timing of the consultation it was necessary to submit a provisional response to the Scottish Government in advance of this meeting, although the chair and vice-chair were consulted prior to submission.
- 4.2 Appendix 1 contains the provisional response sent on behalf of the SDPA which requests that the omission of strategic development plans and strategic environmental assessment be rectified when legislation comes forward later this year.
- 4.3 The inclusion of strategic development plans and strategic environmental assessment would enable better use of SDPA resources, allowing them to be targeted at more efficient and effective consultation and engagement, rather than just meeting statutory requirements.

## **5 Financial Implications**

- 5.1 There are no financial implications arising directly from this report. However, if legislative amendments come forward as requested in the consultation response, the SDPA will have greater flexibility in its use of resources to engage with communities and other stakeholders.

## **6 Recommendations**

- 6.1 It is recommended that the SDPA homologate the response to the Scottish Government consultation attached at Appendix 1.

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