

Appendix 1 Consultation Response

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Contact: David Jennings
Phone: 01224 628210
Our ref: FP/L/S/120210PINS
Your ref:
Date: 12/02/2010

Dear Ms Miller,

Consultation on the draft Local Authority Public Information Notices (Electronic Publication) (Scotland) Order 2010

The Aberdeen City and Shire Strategic Development Planning Authority (SDPA) is one of four across Scotland established under the Planning etc (Scotland) Act 2006 to prepare and keep under review a strategic development plan for its area.

The Aberdeen City and Shire SDPA is keen to promote effective and efficient consultation and engagement as it carries out its functions and in this context welcomes the opportunity to comment on the draft order, particularly at this time of resource constraints. Whilst not wishing to comment on the areas currently covered by the draft order, the SDPA believes that two additional areas should be included.

The draft order has omitted the relevant sections of legislation under which the four SDPAs prepare their strategic development plans. We consider this to be a fundamental omission considering that the order takes account of the Town and Country Planning (Scotland) Act 1997 Act as far as the preparation of local development plans is concerned. The Aberdeen City and Shire SDPA consider that strategic and local development plans should be treated consistently. Currently, legislation requires advertising of at least five separate notices in printed media (one by Scottish Ministers but the other four by the SDPA) during the preparation of a strategic development plan.

It is also noted that the Environmental Assessment (Scotland) Act 2005 has been omitted from the draft order which is a particular concern. The Environmental Assessment (Scotland) Act 2005 makes strategic environmental assessment a legal requirement on many public plans, programmes and strategies, including the strategic development plan. The strategic environmental assessment is prepared in conjunction with the strategic development plan and is coordinated with the Plan's preparation and processes. Statutory Public Information Notices in printed media are currently required as part of this process. In our view, the notices in relation to strategic environmental assessment are particularly inefficient. Two notices during the preparation of our recent structure plan, for example,

cost over £1,700 and resulted in no responses which could be directly attributed to them.

Due to the close linkages between preparation of a strategic development plan and its strategic environment assessment, it is important that the new order amends both pieces of legislation to ensure that the full benefits can be gained.

Scotland's four SDPAs will be excluded from the cost savings proposed within the draft order unless notices required under the Town and Country Planning (Scotland) Act 1997 Act (in relation to strategic development plans) and the Environmental Assessment (Scotland) Act 2005 are covered by the emerging legislation.

Effective and efficient consultation is important but the cost of statutory notices in newspapers can often work against this objective. We trust that the above observations will be considered positively as you take this matter forward and look forward to reviewing your final proposals.

Yours sincerely,

David Jennings
Strategic Development Plan Manager