

Local Place Plans

Policy and Process

August 2023



Local Place Plans - Dumfries and Galloway Council's Policy and Process

1. Introduction

Local Place Plans (LPPs) are community produced plans that provide the opportunity for communities to influence and participate in decision making for their area. They are a mechanism for influencing the Local Development Plan (LDP) and identifying projects of importance to the area.

In supporting LPPs, the Council and its partners intend to leave a legacy of skills within the local community; our support should leave community groups more empowered and with a greater range of abilities and experience to take on other challenges.

2. Legislation

The legislative requirements for the preparation, submission and registration of LPPs are set out in:

- The Town and Country Planning (Scotland) Act 1997 as amended by the Planning (Scotland) Act 2019; and
- the Town and Country Planning (Local Place Plans) (Scotland) Regulations 2021

The legislation sets the minimum requirements that LPPs must meet to ensure that they can be registered. The Scottish Government have also produced Circular 1/2022: Local Place Plans which provides further guidance to local communities and planning authorities on the legislative requirements. While the legislation and national guidance provides direction on how LPPs should be managed, there is considerable discretion in a number of areas. This document outlines how this Council will handle LPPs where discretion or uncertainty exists in the process.

The purpose of this document is to set out the approach taken by Dumfries and Galloway Council and its partners in the process of preparing, submitting and having a LPP registered. It also outlines the help and support the Council and its partners are able to give at the various stages throughout the process.

3. Local Place Teams and Community Planning Partners

Local Place Teams have been established across the region to work with community groups interested in creating a LPP for their area. The teams consist of a planning officer, an economic development place officer and the ward officer for the area. The Local Place Team will also work with a representative of Third Sector Dumfries and Galloway, who will provide advice on governance, engagement and funding. The Local Place Team will be the main point of contact for the community group.

The Place Planning Partnership (PPP) provides a wide range of expertise from partners with a stake in Local Place Plans. The PPP have been engaged in the process of developing the support for LPPs and have an ongoing role in providing support to Local Place Teams.

The Locality Hubs are the recognised local planning forum for community planning and are overseen by Third Sector D&G. They will have a key role in supporting joint work at the local level and comprise key partners around LPPs.

4. Overview of the Local Place Plan process

An overview of the LPP process is shown below. Each of the stages is explained in more detail below.



A dedicated LPP webpage is available on the Council's website ([link](#)). This provides an overview of LPPs, their legal requirements and an outline of the process. Additionally, it provides materials in the form of toolkits to assist communities and a single email address through which they can contact the Council. This resource will allow community groups to self-service in the first instance.

5. Expression of Interest

As a first step in seeking assistance from the Council and to register their interest, community groups are asked to fill in and submit an Expression of Interest Form. This asks for basic information, such as the name of the community group and contact details.



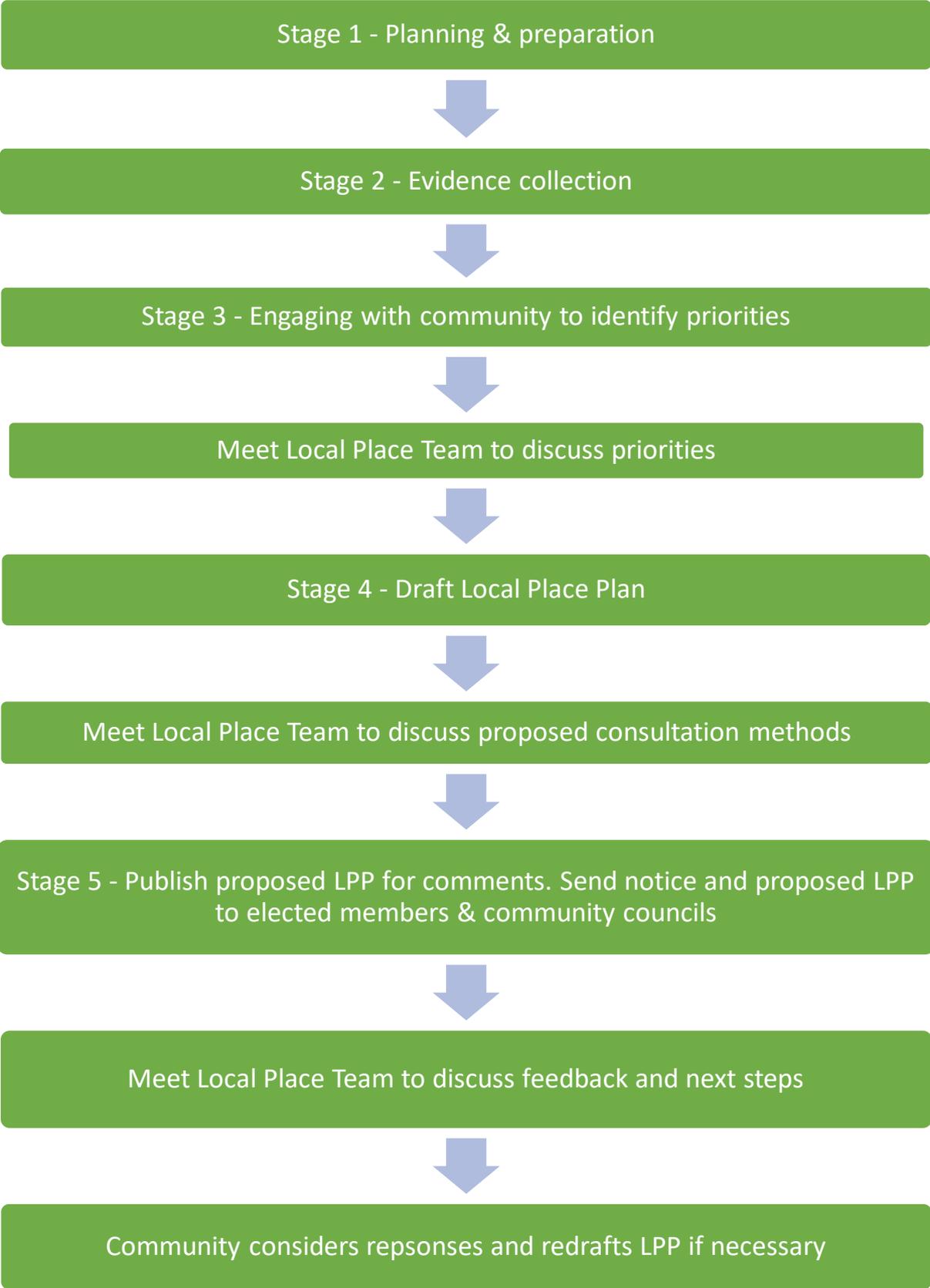
The community group will receive a prompt response acknowledging the receipt of the Expression of Interest and the elected members for that areas will be notified. The Local Place Team are required to contact the community group within 20 working days of receiving the Expression of Interest form to arrange an initial meeting. This meeting is considered key to establishing connections between the community group and those officers who can provide the most assistance. It also provides an opportunity for community groups to ask any questions that they might have regarding LPPs.

In addition to providing information to community groups, the Local Place Team will seek to establish the main issues affecting the area under consideration, the capacity of that group to undertake activities such as engagement opportunities and the needs of that group. Relevant materials have been made available to officers involved in the Local Place Teams to allow them to undertake their responsibilities.

The community group may decide after the initial meeting that they do not want to prepare a LPP. If that is the case the Elected Members for the ward will be notified.

6. Local Place Plan preparation

The following diagram sets out how the preparation process is expected to progress based on the best practice outlined *Step by Step Guide* issued by the Council in October 2022:



This process provides for meetings between the community group and the Local Place Team at key points in the preparation process. The aim of this ongoing

support is to ensure that community groups are aware of the legal requirements that are relevant to the work they are doing at that point of the process.

Stage 1 – Planning & preparation

The community group will need to consider matters such as who should be involved in preparing an LPP, what resources and skills they have at their disposal and how they define their community. Additionally, they will need to take account of what support is available to them and funding options.

The Local Place Teams can provide advice on these matters at the initial meeting with the community group. Thereafter it will be a matter for the group to consider how they should proceed.

Stage 2 – Evidence Collection

LPPs will need to be backed up by relevant and proportionate evidence and the *Step by Step Guide* provides advice to community groups on how gather this. The data needs for each LPP will likely vary from place to place. The Local Place Team will be able to provide further advice and support on this matter.

Stage 3 – Engaging with the community to identify priorities

The community group will need to have a conversation with their wider community to identify what is important to them. The toolkits outline options on different methods of doing this and the Local Place Team can provide advice on this at the initial meeting.

Stage 4 – Drafting a LPP

Once the community group have identified their priorities but prior to drafting their LPP, they will have an opportunity to discuss this with the Local Place Team. This is the point at which they will need to consider the legal requirements relating to the content of the LPP, which are as follows:

- Identify the community body by whom the LPP was prepared;
- Contain a statement of the community body's proposals as to the development or the use of land in the area (to be mapped);
- Contain a map that shows land to which the LPP relates.

The Council has prepared the 'Overview of Local Place Plans' toolkit and a 'Local Place Plan Template' and have made them available on our website to assist community groups with this.

Some community groups may struggle to meet the mapping requirements from a technical perspective therefore the Council will produce a toolkit identifying the options available. It will also set out standard of map that will be expected for the LPP to be registered.

Stage 5 - Publication and consultation on the proposed LPP

After a proposed LPP has been drafted, the community group will need to consider how they intend to consult on it. There are also legal requirements that they will need to meet:

- Prepare a notice setting out a brief description of the content and purpose of the proposed LPP and information on how, to who representations can be submitted to and by what date. The LPP must be issued for consultation for at least 28 days;
- Send a copy of the proposed LPP and the notice to each councillor of the LPP area and each community council whose area is within or adjoins it.

A meeting with the Local Place Team at this stage will ensure that the community group is aware of these requirements. This also provides an opportunity to discuss the community group's plans for the consultation. The level of consultation should be proportionate and representative of the community it covers; and should be undertaken via a variety of methods to ensure inclusivity. A toolkit will be made available on our Council's website to support the consultation process.

Considering feedback and steps prior to registration

Once the consultation on the proposed LPP has concluded, the community group will need to consider whether they wish to make amendments. They will also need to produce an Information Notice which accompanies the LPP outlining the following matters:

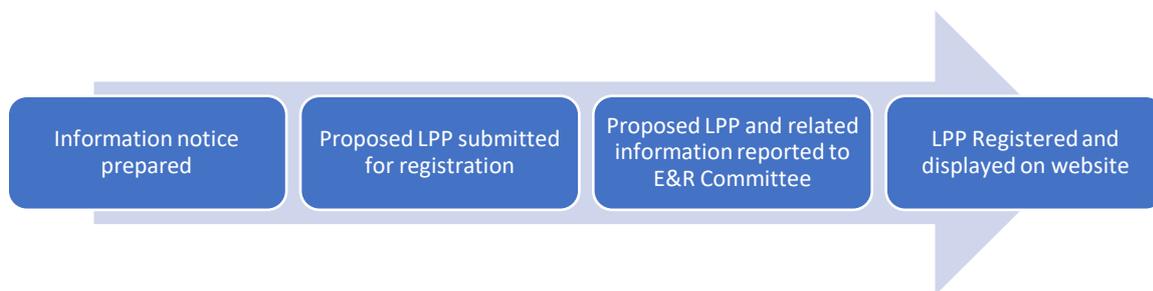
- Confirmation of the Community Body's status, such as a written constitution;
- Contact details;
- Evidence of compliance with the procedural steps set out in the legislation (see bullet points above);
- An explanation of how the community group have had 'regard to' National Planning Framework (NPF), Local Development Plan (LDP) and the Locality Plan;
- A statement setting out if, why and how the LDP should be amended;
- The community group's view of the level and nature of support for the LPP. A statement setting out their reasoning is also required.

The 'Overview of Local Place Plans' toolkit and a 'Local Place Plan Template' have been drafted in such a way as to ensure that these matters are considered from the outset of the LPP process.

When setting out their views on the level and nature of support the LPP has among the wider community, the community group will be expected to draw upon any engagement and consultation exercises they have undertaken. Information on any feedback received can be used to demonstrate the level of support.

7. The Registration Process

Upon completion of a proposed LPP the community body will need to submit it to the Council for it to be registered. Any registered LPP must be taken into account in preparing a future LDP. There is also the possibility that funding bodies will require projects to be identified in a registered LPP as a condition of financing.



Community groups will be encouraged to meet with the Local Place Team prior to submitting their proposed LPP for registration. This will assist in identifying any outstanding issues that might adversely affect the registration process and prevent circumstances where proposed LPPs fail to be registered on technical grounds.

Planning Circular 1/2022: Local Place Plans says that a LPP is valid if it meets the requirements set out in the legislation and that it is not the role of planning authority at this stage to assess proposals contained in that LPP for their planning merit or deliverability. Scrutiny over the contents of the LPP is separate from the registration process and will occur later when the LPP is being produced, which will have to be approved by Elected Members.

All LPPs that are submitted for registration will be assessed by Council officers to check whether they meet the minimum legal requirements set out in section 6. All LPPs will be reported to the Council's Economy and Resources Committee and Elected Members will be asked to note that the LPP meets the legal requirements and should be registered.

The registration process will not be the first occasion at which Elected Members will be informed of a given LPP. Upon the receipt of an Expression of Interest form, local ward members will be informed and the community body producing an LPP are required to consider the views of Elected Members for their area as well as providing a copy prior to submitting it for registration.

8. Other matters related to Local Place Plans

The following section outlines how this Council will handle LPP matters where discretion or uncertainty exists in the process.

Relationship between LPPs and Borderlands Place Plans

LPPs and Borderlands Place Plans are part of different processes but with many similarities. LPPs are a process by which communities can feed into a future LDP while the Borderland Place Plans are a step by which identified communities can seek funding via the Borderland Inclusive Growth Deal.

Borderlands Place Plans are to be reported to the Economy and Resources Committee for endorsement before being reported to the Place Programme Board who will be asked to 'endorse', 'consider ineligible' or 'request additional development' of the Place Plan. Following this the Place Plan will be submitted to Borderland Partnership Board for approval. There is a subsequent process for developing a Borderlands Town Investment Plan which aims to seek funding for the area.

To avoid confusion and unnecessary duplication it is intended that the Borderlands Place Plans be prepared in such a way that they can meet the requirements of both the Borderlands Deal and the planning legislation therefore (allowing them to be registered as a LPP).

Retrofitting existing community produced plans

In many areas of Dumfries and Galloway, community groups have already produced plans for their own areas. An example of this is the Community Action Plans.

While the Scottish Government have advised that it will be possible to adopt existing community produced plans as LPPs, guidance on this matter has yet to emerge.

In the absence of such guidance, consideration of the prospect of retrofitting an existing plan will need to be considered on a case-by-case basis. It will be harder to retrofit older Community Action Plans as the information in them is likely to be out of date and may not reflect the communities current aspirations. If community bodies wish to pursue this approach, then they will be required to consult on their plan for a minimum period of 28 days. Additionally, there may be a need for the community body to produce supplementary documentation to meet the legislative and information notice requirements set out in section 6. Community groups wanting to find out more will be asked to submit an expression of interest form.

Cut off deadline for consideration in the next LDP

The Planning Act requires that the Council publish a deadline beyond which LPPs can no longer be considered by the next LDP. The Proposed Plan represents the Council's settled position on what the LDP should contain. For this reason, consideration of the content of LPPs would best be considered during the production of the Proposed Plan.

The current timetable for the LDP has the Proposed Plan stage starting in mid-2024. Therefore, Expression of Interest Forms will need to be submitted by the end of July 2024. This timetable is subject to review and should circumstances change the Council can extend this should it be necessary.

Multiple Local Place Plans for the same area

When preparing the next LDP, the Council will need to take the contents of any registered LPP into account. This could be problematic should there be multiple plans for the same area, particularly where they contradict one another.

Given the problems that might arise, the Local Place Team will encourage community groups to work together in producing a single LPP for the same area as LPPs should represent the views of the whole community.

If competing LPPs are submitted for the same area, the Council will require the information notice mentioned above (see section 6) to provide clear justification that these LPPs represent the views of the wider community. Robust evidence of any consultation undertaken and feedback received will be necessary for the Council to determine what weight such LPPs should be given when preparing the LDP.

The degree to which LPPs will be incorporated into a future LDP

The legislation requires the Council to ‘take into account’ registered LPPs when preparing an LDP. This does not mean that proposals within a registered LPP must be incorporated in a future LDP as the Council will need to weigh this against wider considerations. Examples of this could include deliverability, capacity of services, requirements from legislation and government guidance, etc.

The Council will approach the LPP process in good faith and seek to incorporate LPP proposals into a future LDP to the extent that is practicable. Where there are perceived difficulties with specific LPP proposals, the Council will seek to engage with the community group at an early stage of LPP preparation. The aim of this will be to fully inform the community body of these potential difficulties and to provide advice on how it could be amended, where appropriate.

Upon approval of the Proposed Plan by the Council, an explanation of how LPPs have been taken into account will be provided. This is to give clarity to those who wish to pursue changes to the LDP at Examination should they be dissatisfied with the Council’s reasoning.

Amending registered LPPs

LPPs can be removed from the register under two circumstances:

- Where the community group who prepared that LPP asks for it to be removed; or
- Where the community group who prepared that LPP submits a subsequent LPP which it states is to replace the existing one.

While this allows the community group to amend their LPP, there is no truncated process for doing this. When considering this, the community group should be mindful of the time it will take to produce a replacement LPP and whether this can be done prior to the Council producing the Proposed Plan. There is limited scope for the Council to amend the Proposed Plan once it has been published therefore there is no guarantee that an LPP produced after this can be taken into account.

Funding support

There is no specific funding available to progress projects identified in LPPs however a small grant funding scheme is currently being developed to assist communities with the initial development of their plan. A toolkit will be published to provide information on this once the details have been finalised.

Officers and partners may be able to signpost communities towards external sources of funding and financial assistance to help realise their ambitions.

7. Record Management & Privacy

The LPP process for retaining documentation will be done in line with the Council’s Record Management policies. The Planning legislation includes a provision for the Scottish Government to review the LPP process across the country within 7 years of it coming into force and report back to the Scottish Parliament. Therefore some

documentation may need to be retained longer than would normally be the case so that the Council can provide evidence to the Scottish Government to assist with this review.

Personal information gathered during the Council assisting with LPPs will be subject to the Privacy Notice on the Expression of Interest Form. This states that the information gathered is only to be used for the Council to make contact to those requesting support and will not be shared outside the organisation.

8. Public Register

The legislation requires Council's to maintain a public register of LPPs that have been registered. This register is to include a copy of the LPPs, a copy of the information submitted with those LPPs and a map of the district that shows the land to which registered LPPs relate to. The register is to be made available on the Council's website and at all reasonable hours at an office of the planning authority.

9. Review of this document

It is proposed that the approach and process outlined in this document be reviewed and reported back to the Council approximately 1 year after approval. However, given that LPPs are a new process it may be necessary to make amendments to the this document sooner than the proposed review date as legislation and guidance is updated. Lessons Learned feedback collated from the Local Place Teams and community groups will be used to identify areas where our approach and process can be improved.