

Examination of Conformity with the Participation Statement

1. Section 19(4) of the Town and Country Planning (Scotland) Act 1997 (as amended) states that a person appointed to examine a proposed local development plan “is firstly to examine ... the extent to which the planning authority’s actions with regard to consultation and the involvement with the public at large as respects the proposed plan have conformed with (or have been beyond the requirements of) the participation statement of the authority which was current when the proposed plan was published under section 18(1)(a).” Paragraph 110 of Planning Circular 6:2013: Development Planning indicates that in this assessment the appointed person is only expected to refer to existing published documents such as the participation statement, the report on conformity and any representations relating to the authority’s consultation and public involvement activities.
2. The proposed Aberdeen Local Development Plan was published in March 2015. The development plan scheme current at that time was published earlier in January 2015. It contains, at pages 7 to 12, the authority’s participation statement.
3. The participation statement includes the various measures the authority proposed to take to inform stakeholders about the development plan process. These include actions relating to:
 - a) Sending copies of the plan to Scottish Ministers and key agencies;
 - b) Notifying people who had commented at the main issues report stage;
 - c) Neighbour notification;
 - d) Holding a 10-week consultation process;
 - e) Publishing notices in local newspapers;
 - f) Placing copies in Marischal College and local libraries;
 - g) Publishing on the internet and publicising through social media;
 - h) Informing community groups and other stakeholders of the publication of the plan;
 - i) Running drop-in events;
 - j) Presenting to key agencies, stakeholders and interested groups; and
 - k) Sending a newsletter to agencies, developers and those who have expressed an interest in the LDP.
4. The report on conformity with the participation statement was submitted to Ministers along with the proposed plan. It sets out the manner in which the council considers its actions in regard to the participation conformed with, or went beyond the requirements of, the proposals (listed above) contained in the participation statement. It also lists a number of further actions relating to consultation and publicity activities the council carried out beyond those listed in the participation statement.
5. The report on conformity also identifies one representation criticizing the public consultation carried out, in particular the role of mitigation and the approach taken to the

equalities and human rights assessment. I have considered this, and concluded that the points raised do not throw into question the council's conformity with its participation statement. However I consider this representation further under Issue 44. Beyond this representation, I am not aware of any other representations raising the authority's consultation or public involvement activities.

6. Having considered the report on conformity, I found that the authority had consulted on the plan and involved the public in the way it said it would in its participation statement, in accordance with section 19(4) of the Act. Indeed, because of the additional activities listed in the report on conformity it could be said to have gone beyond those commitments. Being satisfied, I therefore proceeded to examine the issues raised in representations on the proposed local development plan.

Stephen Hall

Reporter