

## Highland wide Local Development Plan - Main Issues Report Consultation Summary and Actions Sheet

Reference Number:	<b>HWLDP-MIR-289</b>
Organisation/Individual:	Action for Planning Transparency (Cathy Stafford)

**Action:**

Immediate Response Required	
Meeting required with Respondent	
Issue for Area Local Development Plan	
Further Information Required	
Other (Please Specify)	

*If no box ticked - issues raised will be dealt with in preparation of the Proposed Plan.*

**Issues Raised in Response:**

Purpose of Main Issues Report	x
NPF2 for Scotland	
Vision for the Highlands	
Inverness and A96	
The A96 Corridor	
Phasing of Development	
Developer Contributions	
East Inverness	
Nairn	
Tornagrain	
Smaller Settlements in A96	
Caithness and North Sutherland	
Easter Ross and Nigg	
Development of Local Centres	
Wider Countryside and Fragile Areas	
Population and Housing	
Housing in the Countryside	
Affordable Housing	
Planning for an Ageing Population	
Gypsies/Travellers	
Retailing	
Developer Contributions	
Natural, Built and Cultural Heritage	

Previously used Land	
Wild Land	
Water Environment	
Renewable Energy	
Flooding	
Waste Management	
Air Quality	
Sustainable Design	
Business and Industrial Land	x
Accessibility and Transport	
Agricultural Land	
Subdivision of Existing Crofts	
Allocation of Inbye Land	
New Crofting Township	
Small Scale New Crofts	
Coastal Development	
Forestry and Woodland	
Minerals	
Open Space and Physical Activity	
Access to the Outdoors	
Comments on Consultation Process (+ve)	
Comments on Consultation Process (-ve)	x

**Key:**

Background	Spatial Strategy	Policy Options	Consultation
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**Notes:**

Engaged in a tick box exercise rather than using standards to improve its performance  
MIR did not make comparison with existing land plans  
MIR will not result in effective prioritisation of resources  
Major changes have been pre-determined by non-statutory supplementary planning guidelines  
Developer interests will continue to be the overriding factor  
Appears to be a lack of transparency locally how the principles have influenced A96 corridor development

Action Sheet Completed by:	SH
Date:	14/12/09





Chairman Mike Hutcheson  
Secretary Catherine Stafford  
Treasurer Alison Lowe

Liz Holland  
Doug Piggott  
John Pottie  
Brian MacGregor  
Helen Jenkins  
Paul Jenkins  
Aileen Campbell  
Alistair Noble  
Ref:

Clach na Sanais  
Croy  
Inverness-shire  
IV2 5PG

Date 16<sup>th</sup> November 2009

Director of Planning and Development  
The Highland Council  
Freepost SCO5568  
Inverness  
IV3 5BR

Comments from Action for Planning Transparency (APT) on The Main Issues Report (MIR; published August 2009) for the Highland wide Local Development Plan

*"I know of no safe depository of the ultimate powers of society, but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not take it from them, but to inform their discretion."*

(Thomas Jefferson, architect and President of the United States, 1820 Letter to William Charles Jarvis)

Page 74 of the 82 page Main Issues Report (MIR) states:

*"This document sets out the main options for planning policy in Highland for the next twenty years. We would like you to tell us what you think about each of our issues which we have outlined above and about how you have found the consultation on the Main Issues Report. You may wish only wish to comment on some, not all, of the issues."*

***"These comments must be made by 5pm on Monday 9th November 2009."***

This letter constitutes our response to This Main Issues Report as prepared by the Highland Council as Planning Authority. Unfortunately we were unable to submit these comments by the due date as above but submit them now in the light of remarks (below) made by The Development Plans Manager, Malcolm Macleod:

***"We would encourage people from right across the Highland area to give us feedback on the Main Issues Report. If you or your group don't think you will be able to meet the deadline of the 9th November, please still try and get us any feedback you may have by the end of November so we can carefully consider it before we start work on the proposed plan stage of the Highland wide Local Development"***



## 1 Introduction

The planning system is there to promote, facilitate and regulate development in the public interest. The impact of development, much of which is irreversible, on the lives of individuals and communities can be very significant depending on its nature, scale and location.

As a committee we are aware that:

*"Planning is seen as vital to the future development of Scotland. It often has to balance competing and conflicting demands to ensure that land is used in the best way for every one's long-term interest. It is recognised that poorly-designed developments in unsuitable places can damage the quality of life in a community. The quality, location and environmental impact of any new development therefore always needs careful consideration."*

[Brief Introduction to the Planning System; Scottish Government web site]

APT founding members chose the group's objectives to align with the best principles of planning taken forward through planning modernisation. We believe that these 'best principles' are what the planning system has always sought to achieve and are what the radical changes introduced by The Planning etc (Scotland) Act 2006 should now be seeking to implement more fully.

'Access and participation' is one of the 4 founding principles of the Scottish Parliament. The Parliament is designed to be accessible, open and responsive, with its procedures promoting a participative approach to the development, consideration and scrutiny of policy and legislation.

With respect to planning; participation is defined within the Royal Town Planning Institute's, "*Guidelines on Effective Community Involvement and Consultation*" as:

*"The extent and nature of activities undertaken by those who take part in public or community involvement"*

Whilst Planning Advice Note 81, PAN 81, does not define terms, the APT Committee subscribes to the view, as expressed in Planning Advice 81, that:

*"...where we use the term 'consultation' we mean the dynamic process of dialogue between individuals or groups, based on a genuine exchange of views and, normally, with the objective of influencing decisions, policies or programmes of action."*

PAN 81 also tells us that:

- *"Participation is everything that enables people to influence the decisions and get involved in the actions that affect their lives." And*
- *"...engagement is, in effect, giving people a genuine opportunity to have a say on a development plan or proposal which affects them;*

*listening to what they say and reaching a decision in an open and transparent way taking account of all views expressed." And,*

- *"If the quality of participation undertaken on the development plan is judged to be inadequate, the reporter or Scottish Ministers will have the power to ask for further work to be carried out before the plan proceeds to the next stage."*
- *"The law requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. Therefore if a proposal accords with the development plan and there are no material considerations indicating that it should be refused, planning permission will be granted. That is why it is so important for the community to be involved at the development planning stage."*

## 2 The purpose of a Main Issues Report

We have learnt that Development Plans are prepared for every local authority in Scotland. They set out an authority's policies and proposals for the use and development of land in its area, including the appearance of cities towns and rural areas. They are concerned mainly with the use of land and guide future development to the most appropriate locations. They must provide clear guidance on what development will or will not be allowed and where. They address a wide range of policy issues, including housing, shopping, business, industry, transport, recreation, built and natural heritage.

The Scottish Planning Series: Planning Circular 1 2009: Development Planning informs us:

*"Main issues reports are key documents in terms of front-loading effective engagement on the plan, and aligning development planning with SEA. They are the principal opportunity within the plan preparation process for productively consulting stakeholders on the content of the plan and for involving the wider public. Main issues reports are not draft versions of the plan, but should concentrate on the key changes that have occurred since the previous plan and on the authority's big ideas for future development. They should identify a preferred option and reasonable alternatives, and be informed by a sound evidence base. Content that the authority proposes to retain from the existing plan or which does not have a significant environmental or other effect, should be identified but with limited discussion"*

Further clarification given to Local Authorities on the role of Main Issues Reports by a senior Planner at the Scottish Executive Reveals:

- Councils should publish a Main Issues Report (MIR) that contains a well-informed preferred strategy and reasonable alternatives.



- Though the MIR will contain a preferred strategy, a Local Authority shouldn't be setting out to defend that strategy. It should be equally open to new and different ideas.
- It is good practice for these first main issues reports to compare their strategies to the existing local plan.
- Much less space need be devoted to items the authority expects to carry forward from the previous plan, areas where the authority intends to adopt national or regional policy unchanged, and areas where there are no realistic choices.
- The report is a tool to generate debate and gather information and opinions
- Main issues reports will be used by authorities to genuinely help them finalise their proposed plans. They shouldn't be used to ask questions the authority already knows the answer to, but should concentrate on generating the responses, views and information the authority needs to move forward. And in this way, main issues reports should improve the quality of the proposed plan to come.
- A good main issues report should allow you to move swiftly on to the proposed plan stage

New Plans will need to make sure that development takes place in the most sustainable way.

### 3 Highland Council Planning

According the latest post (051109) on the Highland-wide Local Development Plan Blog; the Development Plans team has:

*"...informed over 1300 individuals and groups that are on the Council's consultation database, distributed more than 800 'Main Issues Reports' to interested parties and advertised in a number of local publications. Young people have also had a chance to have their say through the "Keep us in the Picture" competition and through on going involvement of Highland Youth Voice."*

*"...(the blog has) been used to let people know about upcoming events and provide summaries of feedback received at these events. The blog has been visited by people from across the area and has been welcomed as a way in which to quickly update people on the production of the Highland wide Local Development Plan"*

Highland Council has also supplied an on-line Questionnaire



According to the Development Plan Scheme:

*“Highland Council was chosen as one of the pilot authorities to deliver a new Highland-wide Local Development Plan based on partnership working with SEPA, SNH, Scottish Water and Transport Scotland. The aim is to demonstrate the benefits of a partnership approach to the preparation of a new-style, concise, map-based plan.”*

4 The National Standards for Community Engagement: How satisfactory has this consultation on the Main Issues Report been in terms of compliance with these standards?

We make the comments in parts 4 5 and 6 of this response in the context of sections 1, 2, 3 and Appendix 1 of this response (Appendix 1 - a list and short explanation of 'The National Standards for Community Engagement').

The Development Plan Scheme set out Highland's programme for preparing and reviewing the local development plans. The Main Issues Report (MIR) is required to inform the preparation of a Highland-wide Local Development Plan. The Planning Authority faces significant challenges with respect to engagement as presented by the geography of the area, the sparse population and the short timescales. It is unclear as to how much training members of the Development Plan Team have received to prepare them to undertake this challenge, as is the amount of resource available to them.

The Development Plans Team has produced a checklist which can be found at the link below:

***“DEVELOPMENT PLANS CHECKLIST FOR STRATEGIC ENVIRONMENTAL ASSESSMENT, EQUALITIES IMPACT ASSESSMENT, GAELIC & COMMUNITY ENGAGEMENT”***

<http://www.highland.gov.uk/NR/rdonlyres/6D176AEB-C9B1-41D5-A00E-368A1670EC4E/0/ChecklistforHwLDPMIR.pdf>

In the table on page 3 of this checklist the team is attempting to demonstrate that the National Standards for Community Engagement (NSCE) have been met. The APT committee feels that the self appraisal presented here reflects that the Planning department is engaging in a 'tick box' exercise rather than using the Standards to improve its performance in terms of genuine community engagement.

The National Standards for Community Engagement were agreed in 2005 after more than a year of consultation and testing; the encouragement of community involvement is a feature of many policy areas. The User's guide, to be used alongside The NSCE, contains '10 top tips on getting started'. These tips advise selection of the standard most applicable to the engagement.



Examining the Development Plan Teams's assessment of the 10 standards in more detail:

**Standard 1 (Involvement);** The Development Plans Team (the DPT) state "*We will identify and involve the people and organisations who have an interest in the focus of the engagement*"

Involvement should go further than simply identifying, inviting and hosting. The process of involvement should be proactive and rigorous to ensure that it is not weighted in favour of individuals, businesses and organisations with vested interests. The monitoring of the participation should be a dynamic process to ensure that all perspectives are represented. It is also vital that all sections of society have the same level of awareness of, and the ability to interact meaningfully with, the process.

The DPT checklist identifies everyone who lives, works and visits Highland as being affected by the process, but the DPT have only sought to, "*...involve the people and organisations who have an interest in the focus of the engagement*". Who should determine what the focus of the engagement will be? It may be that people will 'deselect' themselves and not take an interest because they mistakenly think that the process or the issues will not affect them. Whilst the DPT was able to list a significant number of groups with a possible interest in planning, it cannot be claimed that this would be an 'exhaustive list'. Also, and very importantly, the identification process did not assess:

- Whether people 'wanted' to be involved;
- Had full knowledge of the issues;
- Had the skills or a commitment to developing the skills, to fully play their role;

If we try to establish *how many* people have been reached on a face to face basis we could estimate that ward forums and community council meetings totalled approximately 30 meetings across Highland and assuming that the average attendance for each meeting was 30 (including Elected Members, community councillors and members of the public), then you would arrive at a figure of 900 people attending these meetings in total. Of course there could be a significant cross over of attendees between the types of meetings.

Performing the same exercise with respect to the information days and assuming 20 days with an average attendance of 150 people then you arrive at a figure of 3000 people. If you then took into account meetings with the Crofter's commission; The Chamber of Commerce, HIE, The Forestry Commission, Inverness Civic Trust, Bypass Action Group, BIDS Meeting, Woodlands, Development Forums, etc you could perhaps add another 500 people. Even if you assumed that you had reached 5000 people (to allow for the '1300' notifications on the database – even though they may well have also attended the meetings) then you will still have only involved **less**



**than 3%** of those over the age of 16 in Highland! (Using the assumption approximately 80% of Highland population of 219,000 -GROS 2008 - is over 16.)

Reviewing the quality of consultation; 3 members of the DPT gave up their time, which is to be commended, for 2 days over a weekend to attend the Belladrum Festival. The blog stated that they had met with 300 people over the 2 days. If we assume that all 3 had attended both days and each day had lasted 10 hours with no breaks for the officers, then each officer could have seen 5 members of the public per hour which means 12 minutes time per person. The APT committee would see this as the kind of initial consultation which could be used as a spring board to the next level of engagement rather than as an end in itself.

Not until all the submissions, in whatever form, are collated might there be an indication of how well the consultation methods fared and how much public benefit was gained by the efforts of the Development Plans Team.

With very little finance, training or support the APT committee sent out 300 letters to the Chairpersons and Secretaries of all the community councils across Highland to encourage them to become involved; see Appendix 3. We also sent letters to all elected members in Highland, see Appendix 4, and arranged 3 drop in sessions.

**Standard 2, (The Support Standard);** The DPT state *"We will identify and overcome any barriers to involvement."*

We rather suspect that the DPT had no alternative but to fall short with respect to this standard. Whilst the team identified that transport, crèche facilities and out of pocket expenses may be required to overcome barriers, the only statement to illustrate compliance with the standard was;

*"We have worked to ensure all venues for our information days and ward forums are accessible to all due to their location and their facilities"*

Thus anyone who needed transport, care of dependents, the co-operation of employers and financial reimbursement would have been disadvantaged, and these practical and financial barriers would still have been in place. We understand, however, that alternative formats – such as Braille or large print – of the MIR could be made available on request.

Also, in this very short section of the checklist the DPT defines barriers in purely 'physical' terms. Loss of confidence and trust in both the planning system and the planning Authority is an enormous barrier and we quote an example received from an APT supporter:

*"For myself, I guess I've really given up. I've passed on all the words of wisdom that I've got, and others will have to carry the baton forward. There's so much money at stake here that the developers can and will bring in whatever legal teams they require to get their own way. They may be delayed, but they will win the day. Political support is also missing, and it's unlikely that it can be acquired. I feel a bit like a*



*mosquito buzzing around a steer - and I do know that mosquitoes can kill a steer, but there's got to be a hell of a lot of them. We don't have the numbers.*

*However, I would never ask that you give up..."*

This is, sadly, a common sentiment expressed by the public.

Barriers such as unfamiliarity with the subject of planning were also not considered in terms of identifying a training budget and advertising that this would be available. Some members of the APT committee have had as much as 4 years detailed involvement with, and understanding of, the planning system. Despite, and possibly because of this, we have found the process of engaging with the Main Issues Report frustrating and difficult.

Another issue that is overlooked with respect to barriers to involvement is that, whilst the DPT provided a significant amount of material on the internet, many people still lack the facilities such as home computers or broadband or the knowledge to utilize these assets to the fullest extent. Further it is unclear whether community representatives have access to the equipment, such as computers, a telephone, photocopying, to fulfill their role in the participation.

**Standard 3 (The Planning Standard);** The DPT state *"We will gather evidence of the needs and available resources and use this evidence to agree the purpose, scope and timescale of the engagement and the actions to be taken."*

It is a matter of some concern that the Highland-wide scope of the consultation predisposed against the authority's ability to consult as fully as possible within the timescales chosen and we have concerns that the consultation here could have been seen as adequate given,

- The diversity of the area covered by Highland-wide Local Development Plan itself. (At least 183 settlements).
- The range and depth of the topics covered in the MIR.
- The significant amount of information – the Housing Need and Demand Assessment, The Housing Land Audit, The Environmental Reports that deserved full consideration and which members of the public may wish to have considered before producing a response.
- The significant amount of additional and related information such as the existing and emerging Local Plans and the range of supplementary guidance.
- The enormity of the land development proposals (in what the Planning Authority regard as 'key' areas),
- The related potential to affect the lives of many people in Highland.



PAN 81 states that, *"Whatever the engagement, the timescales involved and respective roles and responsibilities of those undertaking the community engagement, and those participating, should be clear."*

The evidence indicates that the DPT cannot demonstrate that they have complied with their own set objectives for standard 3.

The DPT's stated objective was to set the course of the consultation on the basis of need; to simply state in the checklist that the timetable had been set, a telephone contact identified and a questionnaire put in place was not sufficient.

There have been a number of changes to the timetable for plan preparations which members of the public may have found confusing. For example, it was reported to the PED on 210109 that:

*"Community Engagement will be undertaken throughout the plan preparation process, and full details of how the Council will meet the national standards of community engagement will be set out in the revised Development Plan Scheme" and ,*

*"... a Main Issues Report, updated Development Plan Scheme and Participation Statement, draft Environmental Report and Monitoring Statement be brought to the March 2009 PED Committee for approval and subsequent public consultation"*

*"An ambitious timescale has been set for the delivery of this LDP, bearing in mind that it is a Scottish Government pilot project. The recommended timeline from the new circular is shown in appendix 2, with the proposed timescale for the Highland plan added. The first step in the process will be a meeting/seminar with Scottish Government and with the partner agencies involved, which is being arranged by Jim Mackinnon, the Chief Planner."*

The timeline shown in Appendix 2 indicated that the MIR would be published in May 2009 with responses to it considered June-August and the Proposed Plan prepared in September 2009.

We can only assume that the Council was advised that this timescale was too ambitious given that Senior Government Planner Stephen Hall had advised Local Authorities en masse with respect to the preparation of Main Issues Reports that:

*"On timing, you'll have grown used to a fair amount of hectoring from Government about development plan timescales, but for once our advice here may be to take your time."*

*"Time spent early on ensuring that a sound evidence base is in place and that the options you are considering are reasonable and deliverable is probably well spent..."*



Thus the Planning Authority, in what we identify as its haste to move as quickly as possible to the Proposed Plan stage, was fully prepared to consult over a much shorter timescale and to consult over the holiday period.

The standard has not been met in terms of the following indicators:

- Plans are reviewed and adjusted in the light of evaluation and performance;
- The participants agree and clarify their respective roles and responsibilities in achieving the purpose;
- The participants agree the timescales for the achievement of the purpose;
- Participants agree on the amount of time to be allocated to the process of agreeing the purpose(s) of the engagement.

These indicators may have been realised with respect to the meetings that took place with Key Agencies, or Government Planners, or Consultants or other Local Authority departments (approximately 40 in total). If compliance with these indicators was not achieved during the public participation then this could lead to the conclusion that the public are not be considered as 'equal partners' in the process; a situation which this standard is designed to mitigate against.

We would also note that the reference to the Scottish Government Pilot Project in this context is somewhat misleading.

**Standard 4 (The Methods Standard);** the DPT state, *"We will agree and use methods of engagement that are fit for purpose"*

This section lists a plethora of initiatives, however, in practice, as PAN 81 notes, *"there is a general view that mechanisms that promote dialogue, rather than one-way communication, are more effective, less confrontational and more valued by participants."*

The DPT chose to use the existing council networks of Ward Forums and Community Councils for a significant number of meetings – approximately 30 out of 50ish meetings held. There did not seem to be any initial evaluation as to how successful this type of meeting was at reaching out to the public, especially when it was to be used to promote a subject as 'dry' as Development Planning.

The majority of the face to face meetings have taken place within Community Councils' meetings and Ward Forums where those present were likely to be regular attendees with overlapping attendance between the two types of meeting. This therefore limits the reach of the interaction between the Planning Authority and the public. Whilst the consultation with Highland Youth Voice, the Under 25s competition, the visit to Belladrum and the continuing interaction with Gypsies and Travellers is a step in the right direction, there is no indication of any



meetings with access panels or ethnic minorities and only one meeting with a senior citizens group.

APT committee members observed that the interaction that took place at the Community Council meetings and Ward Forums they attended was focused on the council officer giving a presentation and the audience members then giving their views or asking a question. The officer (s) then remained at the end of the meeting to answer any further questions. Several issues emerge here:

- Some people stated views which may have been recorded; others asked questions, others did not speak out at all.
- Whilst some attendees appeared to have some knowledge of the process, there were others who were less certain.
- Of those who merely asked questions or did not speak, there is no way of telling if they left the meeting with any inclination to participate further, particularly in terms of submitting a written view.
- Varying, and, in some cases, relatively small amounts of time were available at each of these meetings to express views or ask questions.
- Not everyone who may have wished to express a view or ask a question would have had the opportunity.
- It is not clear whether views expressed were formally recorded at each and every Community Council and Ward Forum Meeting. The audience was informed that their views would be taken on board.

Whilst the APT committee appreciates the amount of 'out of hours work' undertaken by the team, we would question just how much real benefit these meetings were.

APT contacts have expressed concerns regarding the ease of use of the on-line questionnaire. Further, the format in which it is presented does not guide the public towards a considered response and makes it easy for the Planning Authority to justify more definite statements in the proposed plan on the basis of agreement with more vague sentences in the MIR itself.

The DPT has stated that it will publish responses to the MIR on line; has it asked those submitting responses if they are willing for these to be published and was there a respondent information form provided or a permission slip?

For The DPT to state, "*Do the methods involve and support excluded groups?*" (As part of the illustration that the standard has been satisfied) and merely answer, 'Yes' to that question is not acceptable.

The checklist, dated 310809, also states, "...following feedback some of the methods have been used more widely and others have been rethought to make them more



*useful.*” Who was the feedback from? The consultation did not begin until 310809 and there does not seem to be a record of this feedback and what changed as a result of it. The DPT attended Community Council and Ward Forum meetings both before and after this date, and APT members did not notice any particular differences in meetings held before or after this date.

There is no evidence to show that the methods used were assessed in terms of needs and circumstances of the various groups of participants. There is also no record to show that methods were fully explained and applied with the understanding and agreement of participants.

The DPT set up a blog with the stated purpose;

*“This blog will be updated regularly giving you the opportunity (sic) to see how the Highland Council’s Development Plans Team is progressing on the production of the Highland wide Local Development Plan.”*

For comparative purposes, the APT Secretary began using an APT blog to liaise with the public in June 2009; this blog has posted 306 items since 090609; received visitors from 38 countries; had an average of 101 hits per week over a 20 week period of monitoring; has 9 followers and approximately 30 registered users through RSS feeds. The DPT has posted on 129 occasions and has 5 followers.

**Standard 5 (The Working Together Standard)** The DPT state, *“We will agree and use clear procedures that enable the participants to work with one another effectively and efficiently”*

The DPT states: *“We believe that we have made it possible for everyone throughout Highland to get involved in the production of the Highland wide Local Development Plan.”*

Firstly, these two statements are not clearly related and secondly; surely, for a variety of reasons, it is not possible to make the latter statement?

It is felt that the DPT has misinterpreted the scope of this standard. We believe that this standard refers to a more intimate definition of engagement, where parties are working together towards the determination of an outcome, rather than the broad interpretation that The DPT is using here.

The 10 indicators for the ‘Working Together Standard’ seem to the APT committee to focus on the detail of participation in group situation including:

- Clarification of roles and responsibility for agreed actions and delegation of actions,
- Ensuring all parties have time to consult with those they represent;
- Enhancing skills,
- Agreeing schedules,
- Assessing risks,



- Seeking continuous improvement on how things are done,
- Taking decisions on the basis of agreed procedures and shared knowledge

Using this standard may be applicable in certain of the specific meetings – within the 'Housing for Older People Charrette' for example; but a 'blanket statement' of compliance, such as the one printed in the checklist is neither accurate nor applicable.

**Standard 6 (The Sharing Information Standard);** The DPT state, *"We will ensure that necessary information is communicated"*.

The DPT state:

*"We flagged up the consultation period in March 2009 and then the information was provided as early as possible to those who we were directly consulting."*

As previously stated there were changes to the timescale for consultation so the public could have been confused by the changes.

Members of the public reported to us lack of availability of hard copies of the Main Issues Report at service points and / or lack of knowledge of council staff as to where the copies were located. We would also question whether the full range of documents under scrutiny (See appendix 2) during this consultation period was available in hard copy.

The DPT asks the question, *"Is information jargon free, accessible, attractive, clear, understandable and relevant?"* and answers it by saying:

*"Yes- we have worked to ensure that the Main Issues Report is in an easy to read and accessible format."*

APT would question just how accessible the MIR would be to someone without a very good general level of education. Also there is no statement made regarding the readability of the other documents such as the Coastal Strategy.

We also question whether information could have been provided 'in time' given the desire of the Planning Authority to move as quickly as possible to the proposed plan stage.

**Standard 7 (The working with others standard);** The DPT state, *"We will work effectively with others with an interest in the engagement"*

*"We have ensured that to avoid consultation fatigue and make sure people have all of the information they may need available to them that consultation on the draft Local Transport Strategy, draft Local Housing Strategy and draft Coastal Development."*



The APT Committee is concerned that a great demand has been placed on the public, given the requirement to read a large number of related documents as indicated on both the Highland Council web site (Appendix 2) and the 'Useful documents' section of the MIR itself. Rather than seeing this as preventing consultation fatigue, we see this as a major failing by increasing the burden on the public to consider a large number of documents in a short timescale.

The standards aim to promote and establish better working relationships between Government, organisations and community structures. Given that the HwLDP is being put together as part of a pilot project it would have been useful for the public to have been given much more of an insight into what was emerging from the meetings held with Key agencies. The APT secretary had to request a public meeting with, and make subsequent links with, Transport Scotland. The APT Committee has also requested further details of the above meetings through Freedom of Information.

So, in terms of this standard the DPT may be shown to be not fully compliant and there has been a missed opportunity for collaborative working.

**Standard 8 (The Improvement Standard)** The DPT state, *"We will develop actively the skills, knowledge and confidence of all the participants"*

The APT Committee has concerns that the engagement has fallen far short of the requirements of standard 8. In answer to their own question,

*"Do all participants have access to support or opportunities for training?"*

The DPT answer:

*"We are offering support by being able to contact the development plans team, also at our events we are also raising awareness of the work of Planning Aid Scotland for Training and Planning Advice."*

Neither Planning Aid Scotland nor the DPT would possibly have the capacity to facilitate the required degree of training and support, especially since the scope of involvement as identified by the DPT in Standard 1 was, *"Yes - Everyone who lives, works or visits Highland"*

As far as the APT Committee is aware no training for Community Councils or any other community group has been specifically organized through Planning Aid Scotland with respect to improving participant experience of the consultation on the Main Issues Report.

It is felt that the Planning Authority has also fallen far short with respect to this standard in terms of:

- There was inadequate time for competence and understanding to be developed amongst all participants.
- There is no indication of which methods, apart from the presence of a helpline, were used to develop skills and confidence and therefore no

ability to assess whether they reflected diverse needs and were fit for purpose.

- The competence and understanding of the engagement system as a whole was not regularly evaluated by all participants as it developed.
- Parties were given no opportunity to identify their own learning and development needs or to review their capacity to play their roles.
- It will not be easy to ascertain whether the public have been empowered in any respect.

If greater numbers of people are to be encouraged to undertake a more positive role in consultation processes within their Local Authority area, then the process of engagement must be empowering; more knowledge and confidence must be accrued to enable the public to play a more influential role. This is particularly important given that the expectation is – in terms of the Single Outcome Agreement:

*“The development of well-designed, sustainable places will only happen through effective partnerships - between central and local government, and between the public, private and third sectors (including charities, voluntary and local community groups). And most crucially with the individuals who live in those places and keep them vibrant. Government must create the right environment for investment and increased housing supply; taking targeted action in the most disadvantaged communities and devolving power to the local level so that communities can have more influence and ownership.”*

**Standard 9 (The Feedback Standard);** The DPT states, *“We will feed back the results of the engagement to the wider community and agencies affected”*

The DPT states that this feedback will be through *“...a report of consultation late 2009 which will set out all formal (those sent in via letter, email or questionnaire) and informal (blog comments, anonymous comments and those sought through activities at ward forums/information days) response. This each will set out how the response has been taken into consideration.”*

This is as set out in PAN 81, *“People who have made comments on a development plan should be able to see within the participation statement report how their views have been taken into account and the authority's reason for proceeding in the way it intends”.*

Feedback is a key part of the process; the better the mechanism for feedback, the more the results will be accepted and the likelihood of trust developing increases. Unfortunately the Local Authority has a natural reluctance to produce dynamic feedback given that it does not form a recognized part of the ‘consult, write report, present it to councilors and accept recommendation’ style of local authority consultation processing. This has also reduced the effectiveness of the blog; which merely existed as a mechanism for passing on information from the DPT, rather than providing a forum for a dynamic exchange of views.

The Government expects that the Proposed Plan stage is to be a ‘settled view’:



*"A good main issues report should allow you to move swiftly on to the proposed plan stage. And if the report has generated a good debate and exposed the full range of options, there shouldn't be too much unexpected new information emerging in representations on the proposed plan that might necessitate further modifications prior to the examination.*

*Plan preparation timescales often get derailed by changes in circumstances. But changes that happen before the publication of the main issues report can easily be accommodated. It's when changes are forced on the plan mid process that the most serious delays occur. So, swift progress to adoption post-MIR will minimise the opportunity for external events to derail the plan"*

The APT committee would question whether, "...the full range of options" will have been exposed during this consultation period.

**Standard 10 (The Monitoring and Evaluation Standard);** The DPT state, *"We will monitor and evaluate whether the engagement achieves its purpose and meets the national standards for community engagement"*

We are concerned by the question, *"Has any evidence of good practice been recorded?"* and the answer,

*"Yes - Where positive feedback has been received on different methods this has been recorded and will be included in the report of consultation. Planning Aid Scotland are also looking at the consultation methods as demonstrating the principles of SP=EED"*

The APT secretary has contacted Planning Aid Scotland (PAS) to enquire which aspect of the Planning Authority's consultation methods PAS will be looking at in terms of SP=EED and the contact there stated that they may look at the DPT blog

#### 5 The Main Issues Report; General Comments

- a) The Main Issues Report did not, as good practice recommends, make any comparisons with the existing local plans.
- b) The APT Committee is concerned that the MIR will not result in effective prioritisation of resources that, when implemented, will offer the greatest level of economic betterment for the whole of the HIE area. The MIR does not justify or explain the reasons for adopting certain approaches by reference to the benefits that that approach will bring to the area.
- c) If the Main Issues Report aims to highlight and promote discussion on key areas of policy change, and to allow discussion of the merits of different sites which could be taken forward for development, then it has failed to deliver in this respect. There were far, far too many instances in the report which stated:



*"The Council has not identified any reasonable alternatives to the Preferred Option on this issue"*

This is also contrary to the advice given in Planning Circular 1, February 2009, which states that main issues reports should be *"sufficiently clear and precise" for the public to make "meaningful comments" and must contain "one or more sets of reasonable alternative proposals"*

d) This could not be described as a Highland-wide plan since no evidence has been provided that the areas described and included in the MIR as the main foci for growth will enable and generate prosperity throughout the region.

e) The 'Housing Need and Demand Assessment' reveals that the balance of house building needs to tip in favour of providing affordable housing. However there is little innovative policy proposal within the MIR to show that The Planning Authority is seriously considering how to service the needs of declining household size in combination with high house price to income ratios. The contraction of affordable, secure, public rented housing in favour of reliance on the private sector is seen by critics as a major cause of today's housing crisis.

f) In their comments (02/08/05) on the A96 Masterplan SEPA stated:

*"It is noted that the development options within the corridor were developed through a series of technical capacity assessments, sustainability appraisal of development options by stakeholders and community consultation. Different options scored differently under the three assessments. SEPA is disappointed that the Planning Authority did not carry out Strategic Environmental Appraisal (SEA) as part of this exercise. Clearly this Masterplan sets the framework for many other projects which will require EIA themselves (indeed, work is being carried out at present on the Castle Stuart and Ardersier (White Ness) EIA's at present and hence SEA as a separate assessment would be very appropriate. SEA is best carried out as an iterative process throughout the development of a plan, not as an add-on at the completion of a project. There is a risk that the Planning Authority will carry out SEA on options that have already been pre-determined. This is disappointing, given that SEPA raised the need to consider SEA in its letters to the Council's consultant's of 14 June 2004 and 19 August 2004".*

The APT committee is concerned that, despite the presence of MIR sections entitled, 'Safeguarding our Environment' and 'Sustainable Development and Climate Change', and the purported 'long term' nature of proposals, there is growing pressure on national and local policy-makers to focus on meeting the needs of existing generations, rather than anticipating the problems that will affect future generations. This conflicts with the definition of sustainable as presented in the MIR glossary.

g) We submit that, with respect to inclusion of the A96 Corridor in the proposed plan, these proposals were never clearly defined in terms of the aspiration of the communities living in the areas. If the Government is hoping for the Main Issues Report stage of preparation of the new Local Development Plans to be an early opportunity for members of the public to put forward their thoughts about any



planning matter, from land allocation to wording of planning policies, then the Highland MIR falls very short given that so much of the major change planned for the area is already contained in non-statutory supplementary guidance which the public has played a minimal role in determining.

h) The committee is concerned that, in the case of the A96 Corridor Development Proposals, the Local Authority is setting out to 'defend' these proposals. It should be "equally open to new and different ideas".

i) Local Authority Councillors have an important role in planning. The elected members will play a vital role in assessing how the statements made in response to the MIR are reflected in the Proposed HwLDP. It is of great concern that the Elected Members will already have a 'pre-determined' view which will interfere with this process of assessment.

j) The APT committee fears that Highland Council Planning Authority will be unable to demonstrate that the public has made a **significant** contribution to making the Highlands an attractive place in which to live, work, visit and invest.

k) The APT committee fears that the views of development interests will continue to be the overriding force in shaping future developments in the area despite all the rhetoric regarding accessibility, inclusiveness and culture change in the planning system.

The APT committee fears that despite a slight delay in the launch of the Main Issues Report for the HwLDP, there has been insufficient time for the new Planning Act to even begin to 'bed down' and for capacity to be built in to allow the specific skills and knowledge in all stakeholders to be developed. This means that from the start the process of engagement is unsatisfactory.

PAN 81 notes, "***In all situations it is important for the community to understand the decision making process, their role within it and what can and can not be influenced***"

The APT committee is extremely concerned that there is little possibility that groups or individuals without 'bargaining power' will be able to influence any of the content of the proposed plan, whatever method of engagement is provided.

Planning is primarily concerned with long term investment decisions.

The Scottish Government commissioned; "**Barriers to Delivering Mixed Use Development; Final Report**" states:

*6.5 Dealing with a fragmented ownership can be an issue from the very start of the mixed use development process. Land assembly and ownership is fundamental as a basis for large scale master planning and can be a significant barrier to development of any kind. Control of land through ownership can have a greater influence than planning control. In this context, the vision of a single landowner or structured promoter/development partnership or company can be instrumental in delivering a*



*mixed use development. In the workshops, it was pointed out that it is also likely that less capital investment will be required if the land is already owned and, with a reduced borrowing requirement, there is also likely to be less pressure from banks and investors who may perceive mixed use development as inherently more risky. One example of this that was highlighted at the workshops was the development proposed at Tornagrain near Inverness."*

Moray Estates (landowner and promoter of the concept of the 'new urbanist' new town proposal on their land near the hamlet at Tornagrain) appears under the 'Acknowledgments: Individuals who contributed to the research' section of the report. [The report covers some 109 pages and the web publication date is given on the Scottish Government web site as September 04 2009.]

Other developers with land interests in the area, that South of Nairn for example, have stated publicly that they are moving away from being house builders to being 'town builders'. Perhaps this would indicate the 'promoter / development partnership' as described above.

The MIR states in terms of 'Business and Industrial Land':

*"...put in place a policy which encourages developers to bring forward mixed use proposals which allow for appropriate small scale business and commercial developments to be co-located with major housing developments."*

The APT committee would question what appears to be a lack of transparency locally around how the principles (which just happen to be) outlined in 'paragraph 6.5' above could have influenced the development of proposals for the A96 Corridor and strongly request that both the public and elected members are made aware of the implications. If the overriding principles **are** as expressed above; i.e. the combination of Moray Estates advocacy of mixed use development and reduced borrowing requirement makes the development that they propose attractive to senior policy makers, then there is very little point in using the MIR as, "...a tool to generate debate and gather information and opinions" regarding the A96 Corridor.

The APT committee note that evidence suggests that when the Planning Authority decided to bring forward major proposals for the Inner Moray Firth area, they gambled on the fact that the new planning act would be in place far earlier than it was. Now they find themselves in a situation where several major planning applications have been submitted for areas where large land allocations are promised -- in the form of the A96 GCDF supplementary guidance - but have yet to be allocated through the formal development plan process.

It is stated that:

*"The Highland Council is the biggest single enterprise in the region. As such, it can exert tremendous positive influence through its deployment of resources and the activities of those it employs"*



[The Highland Structure Plan Written Statement; Part One: The Strategy; Page 1  
Section 1.1.3]

The Highland Council could indeed exert a positive influence and work to create prosperity across the whole of the region, but if the proposed plan is simply used as a vehicle to carry forward the major A96 Corridor proposals (and any other policies which could be used to further justify the existence of these A96 Corridor proposals) with all the attendant land allocations, then The Highland Council will have not used its influence for the greater good.



## 6 Conclusions

We have read that 'Community Empowerment' is about people and government, working together to make life better. It involves more people being able to influence decisions about their communities, and more people taking responsibility for tackling local problems, rather than expecting others to. A sense of ownership must develop with respect to the Development Plans that are to be brought forward.

The Scottish Government recognizes that many people believe there are barriers to engagement in the planning system including: lack of awareness of available opportunities, inaccessibility of documents, complex procedures and practices, lack of expertise, consultation fatigue, belief that views are not taken into account and distrust of local government. Scottish Ministers have stated their determination to make the planning system more inclusive and accessible to people with greater openness and accountability in the decision-making process. Apparently, this cannot be achieved without reforming how planning involves people - but more importantly how people are involved in planning. It also requires real culture change - from everyone involved in the planning process.

Community engagement is purposeful dialogue aimed at improving understanding, taking more effective action and achieving beneficial change. It is also recognized that the rhetoric frequently fails to match the reality. Managing community engagement in planning is a demanding task and most demanding of all when, as we are, engaging in consultation on plans that will affect the future of the whole of the Highlands for many years to come. Effective engagement requires specific skills and knowledge in all stakeholders.

The National Standards for Community Engagement were established to facilitate more genuine and meaningful consultation and develop the necessary skills. They should not be used as a public relations exercise; it is for **all** the people involved to decide whether or not they are being met. The Standards should not be used as a tick-box exercise, for example, to present to councilors to validate some pre-ordained plans that the Local Authority sees itself as having no alternative but to defend; this would be a waste of both the Planning Authority's time and tax-payer's money.

Our Planning Authority has a duty to consult within the new planning system, and as we have noted in the body of the response has faced a very demanding challenge. Sadly, we must conclude, based on our assessment in this submission to the Main Issues Report that the Planning Authority has fallen short of its own objectives set to comply with its interpretation of the National Standards for Community Engagement

The Planning Authority now faces another challenge; whether or not to take on board our comments, to discuss them, and to use them to build a better understanding of how we could all use the Standards to improve the quality of engagement in Highland.



Yours faithfully

Catherine Stafford  
Secretary APT

APT is a group composed of members of the public. The Objectives of APT are: **to** encourage honest and open debate between communities and planners; **to** create a focus for communities and a sharing of experience in planning matters; **to** raise public awareness of the planning process, and strengthen the participation of local people in all stages of that process.



## Appendix 1

### The National Standards for Community Engagement

The National Standards define community engagement as:

*'Developing and sustaining a working relationship between one or more public body and one or more community group, to help them both to understand and act on the needs or issues that the community experiences'.*

They should set out mutual commitments between agencies and communities and build skills and confidence.

**STANDARD 1: INVOLVEMENT:  
IDENTIFY AND INVOLVE THE PEOPLE AND ORGANISATIONS WHO HAVE AN  
INTEREST IN THE FOCUS OF THE ENGAGEMENT.**

The involvement of people in development plan preparation and pre-application consultations will depend on the nature and scale of the development plan - whether a strategic or local development plan, whether the plan is authority wide or more site specific - and in terms of development management, the scale, size and impact of the development proposed.

**STANDARD 2: SUPPORT:  
IDENTIFY AND OVERCOME ANY BARRIERS TO INVOLVEMENT.**

An understanding is needed of the support that particular individuals or groups require to help them engage.

The needs of minority groups and people with disabilities should be accommodated where possible, including the opportunity to access information in alternative formats such as Braille, large text and audio and the provision of information in alternative languages.

**STANDARD 3: PLANNING:  
GATHER EVIDENCE OF NEED AND RESOURCES TO AGREE PURPOSE,  
SCOPE AND ACTIONS.**

Planning authorities should recognize the value of continuous engagement through regular meetings with community organizations to support understanding of the process and build capacity for engagement.

Whatever the engagement, the timescales involved and respective roles and responsibilities of those undertaking the community engagement, and those participating, should be clear

**STANDARD 4: METHODS:  
AGREE AND USE METHODS OF ENGAGEMENT THAT ARE FIT FOR PURPOSE.**



The level of engagement may also differ from area to area, for example between heavily populated urban areas and more sparsely populated rural areas.

There is a general view that mechanisms that promote dialogue, rather than one-way communication, are more effective, less confrontational and more valued by participants.

**STANDARD 5: WORKING TOGETHER:  
AGREE AND USE CLEAR PROCEDURES THAT ENABLE PARTICIPANTS TO  
WORK TOGETHER EFFECTIVELY AND EFFICIENTLY.**

In all situations it is important for the community to understand the decision making process, their role within it and what can and can not be influenced.

**STANDARD 6: SHARING INFORMATION:  
ENSURE NECESSARY INFORMATION IS COMMUNICATED BETWEEN THE  
PARTICIPANTS.**

Information relevant to the development plan or development proposal should be shared between all participants. Information should be easily understood, jargon free, accessible, attractive, clear, understandable and relevant. It should be made available in appropriate formats and provided in good time to enable people to take part and consult with others.

**STANDARD 7: WORKING WITH OTHERS:  
WORK EFFECTIVELY WITH OTHERS WITH AN INTEREST.**

There is scope for better links, in particular between community engagement in the preparation of development plans and community planning

**STANDARD 8: IMPROVEMENT:  
DEVELOP THE SKILLS, KNOWLEDGE AND CONFIDENCE OF THE  
PARTICIPANTS.**

The skills of all parties should be maintained and improved in achieving effective community engagement. Everyone with public or community liaison responsibilities should have appropriate training and customer care skills. This might require specific training programmes to develop skills and the capacity of community councils and other groups to help ensure that, as far as possible, community engagement is sustainable.

**STANDARD 9: FEEDBACK:  
FEED RESULTS BACK TO THE WIDER COMMUNITY AND AGENCIES  
AFFECTED.**

People who have made comments on a development plan should be able to see within the participation statement report how their views have been taken into account and the authority's reason for proceeding in the way it intends. In the new



system, everyone who has submitted comments on planning applications can expect feedback

**STANDARD 10: MONITORING AND EVALUATION:  
MONITOR AND EVALUATE WHETHER ENGAGEMENT ACHIEVES ITS  
PURPOSE AND MEETS THE NATIONAL STANDARDS FOR COMMUNITY  
ENGAGEMENT.**

Monitoring and evaluating success is important, and planning authorities should see this as an opportunity to learn from their experiences to improve the quality of their services.



## Appendix 2

From the Highland Council web site:

*"In a move to promote joined up working, the public consultation on the Main Issues Report will also give people the chance to comment on the draft Coastal Development Strategy, the draft Local Transport Strategy and the initial stage of the Local Housing Strategy. The documents will be available to view at all Highland Council Libraries, Service Points and planning offices. Full information on the Highland wide Local Development Plan consultation can be found on the Highland Council website [here](#) or by contacting the Development Plans Team on (01463) 702827 or email [devplans@highland.gov.uk](mailto:devplans@highland.gov.uk) "*

If you click through on the link above you will find access to:

[Highland Wide Local Development Plan](#)  
[Highland Coastal Development Strategy](#)  
[Highland Development Plan Scheme & 'Keep us in the picture' competition Structure Plan](#)  
[Local Plans](#)  
[Badenoch & Strathspey](#) [Caithness](#) [Inverness](#) [Nairn](#) [Ross and Cromarty](#) [East Sutherland](#) [Wester Ross](#) [West Highland and Islands](#)  
[Development Plan Policy/Supplementary Planning Guidance](#)  
[Affordable Housing](#)  
[Designing for Sustainability in the Highlands](#)  
[Education and New Residential Developments - consultation](#)  
[Highland Renewable Energy Strategy & Planning Guidelines](#)  
[Houses in Multiple Occupation - Draft Supplementary Planning Guidance](#)  
[Housing in the Countryside](#)  
[Open Space Supplementary Planning Guidance](#)  
[Dingwall Riverside Draft Development Brief](#)  
[Housing Land Audit](#)  
[A96 Corridor Masterplan](#)  
[Fort William Wider Waterfront Study](#)  
[Briefing Notes](#)

For the Housing Need and Demand Assessment HNDA information click [here](#)

Where you can find:

[Highland Housing Need and Demand Assessment Summary \(pdf 150kb\)](#)  
[Highland Housing Need and Demand Assessment Full Report \(pdf 1.2mb\)](#)  
[Highland Housing Need and Affordability Model \(pdf 215kb\)](#)  
[Highland Need and Demand Assessment - Defining Highland's Housing Market Areas](#)



### Appendix 3

#### To all Community Council Chairpersons and Secretaries in the Highland Council Area

*The planning system shapes the cities, towns and rural areas that we all live in.*

**Have your say in the future of the Highlands. Highland Council will begin 6 weeks Consultation on the 'Main Issues Report' of a Highland-wide Local Development Plan on 17<sup>th</sup> August 2009.**

The new Planning Act makes no provision for a replacement Highland Structure Plan. Highland Councillors have however approved the preparation of a Highland-wide Local Development Plan to deal with strategic issues across the Council area.

This Highland-wide plan could look as far as 20 years into the future.

According to the report presented to the Planning Committee meeting at which the decision to prepare a Highland-wide plan was taken, the content of the plan could include:

- Strategic Development Context in terms of Population Change, Household Change, economic prospects (linked to HIE strategy), Housing Land Supply, Strategic Industrial and Business land Supply, Infrastructure priorities
- Key Strategic Policies – Design for Sustainability, Housing, Retailing, Waste Management, Natural and Cultural Heritage, Renewable Energy, Transport priorities etc
- Key Strategic Action / Regeneration Areas - e.g. A96 Corridor, Inverness Action Areas (Torvean, Longman, Muirtown, Campus etc), Dounreay, Invergordon, Nigg, Evanton, Fort William Waterfront, etc.

Will this Highland-wide plan provide **you** with the means to keep **your** schools open; provide you with the water, sewage and road infrastructure to see jobs created and much needed *genuinely* affordable housing provided? How will development in what the Council defines as 'key areas' affect development in **your** area?

NHS Boards and their Local Authority partners face a huge challenge as the population of Scotland ages markedly. How will this strategic Highland-wide plan relate to the regular expense of providing for health and social care services and fit with coordinated commissioning of patient services?

What land use will make **your** communities prosper whilst safeguarding your landscape and heritage for future generations?



Action for Planning Transparency, APT, is a community action group based in the Inner Moray Firth area of the Highlands of Scotland. The group was formed in 2007.

The Objectives of APT are:

**To** encourage honest and open debate between communities and planners;

**To** create a focus for communities and a sharing of experience in planning matters;

**To** raise public awareness of the planning process, and strengthen the participation of local people in all stages of that process.

**You can contact us using:**

[apt.intouch@live.co.uk](mailto:apt.intouch@live.co.uk)

<http://www.actionforplanningtransparency.blogspot.com/>

Action for Planning Transparency  
Rosevalley House  
Cawdor  
Inverness-shire IV12 5XT

Please, visit our blog and do not hesitate to contact us for further information or if you have any questions.

It would help immensely if you could acknowledge receipt of this correspondence.

With kind regards and our best wishes to you as you put forward your views to Highland Council on what you feel would be the best land allocations in your areas to help sustain and provide schools, health, social care and jobs.

Yours faithfully,

Secretary, on behalf of the APT Committee

**Get Involved in Planning with APT**



## Appendix 4

To All Highland Councillors

### Highland-wide Local Development Plan Consultation

Dear Councillor

We wish to draw your attention to a letter, which should be self explanatory that the APT committee has prepared and distributed to all the Community Councils across Highland in order to encourage their participation in the forthcoming consultation on the Main Issues Report of the above noted plan. Unfortunately the preparations for mailing were well in hand when we became aware that the planning department had made a second change to the proposed schedule for consultation on the MIR so the envelopes also contained the following amendment:

**“Further to changes announced by Highland Council since our note was printed the consultation on the ‘Main Issues Report’ of the Highland-wide Local Development Plan will now begin on 31<sup>st</sup> August 2009 for 10 weeks. A copy of the Main Issues Report (Councillor Draft) can now be found at the link:”**

<http://www.highland.gov.uk/NR/rdonlyres/7F6C984F-EA2D-4832-A572-9EABFACFF870/0/Item8BookletA.pdf>

The Main Issues Report, MIR, should be a genuine opportunity for communities *across Highland* to look realistically and objectively at what the future may bring and to provide strong and positive comment with respect to the serious challenges that face us all. Indeed Planning Aid Scotland informed us that the Government is hoping that (in general terms) an MIR will provide an opportunity for members of the public to put forward their thoughts about any planning matter, from land allocation to the wording of planning policies.

Our treasurer, Alison Lowe, has introduced the committee to the concept of deliberative public engagement as a means of helping to create better public services; promoting social cohesion and fostering a thriving community. The APT committee is concerned that given that there is a degree of expressed dissatisfaction with the planning process there is a very real possibility that the public will be deterred from participating in this important stage of the statutory development plan process on the basis of past negative experiences during non-statutory participation.



In the light of this we seek reassurance that Elected Members will be engaging with their communities to promote and ensure full and active community participation in the preparation of new plans for Highland.

Further, we seek reassurance that if the public once more makes an effort to respond to a consultation there will be sufficient time available, not only for the officers of Highland Council to consider the views put forward on the MIR, but for Elected Members to consider how the responses to the MIR across Highland have influenced the content of the Proposed Highland-wide LDP. (See post script)

Please do not hesitate to contact us should you require any further information or clarification.

Yours sincerely

Catherine Stafford  
Secretary APT

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Note:

*Scottish Planning Series, Planning Circular 1 2009, Development Planning*

*Figure 1 Normal Strategic Development Plan Process*

*Typical Timings*

*06 weeks consultation*

*26 weeks to consider representations and prepare proposed plan and action programme*

*10 weeks committee and printing*

*Cumulative total - 42 weeks.*