

# PART IV

## IMPLEMENTATION, MONITORING AND REVIEW



## 15. IMPLEMENTATION, MONITORING AND REVIEW



### POLICY

**IMR1 – Working in partnership**

**IMR2 – Monitoring and Review**

## 15.1 IMPLEMENTATION, MONITORING AND REVIEW

### Background

15.1.1 The Council is responsible for the preparation of the Local Plan. The production of the Local Plan translates the strategic policies and proposals contained within the Structure Plan into detailed policies and action on the ground. Following approval of the Structure Plan by the Scottish Ministers, and adoption of the Local Plan by the Islands Council, the two documents will be brought together as the Orkney Development Plan.

15.1.2 Many of the actions identified within the Local Plan will require partnership with both public agencies and the private sector. This joint working is also necessary to ensure that development proposals are promoted in accordance with the Structure Plan development strategy. The Plan must also be regularly monitored to ensure that should some issue change in an unexpected way, or some policy not have the desired effect, then the Plan can be reviewed and adjusted to ensure that it remains relevant and up-to-date. For each policy in the Plan a statement is provided indicating how each particular policy is to be implemented.

### Implementation

15.1.3 The Council will have an important role in implementing the plan. Aside from its role as planning authority, the activities of other committees of the Council have key land-use implications, e.g. economic development, transportation, roads & environmental services, and recreation & cultural services. It is important that the responsibilities of these committees are consistent and co-ordinated, and that the Plan policies are seen as an important means of implementing service plans, as well as being a key influence on their development.

### Development Control

15.1.4 In law, planning applications are required to be determined in accordance with the Development Plan. If a proposal accords with the Development Plan and there are no material reasons for indicating that it should be refused, permission should be granted. Conversely, if the application does not accord with the plan, it should be refused unless there are material considerations indicating that it should be granted. The range of possible material considerations is wide ranging and it is up to the Council to decide whether a consideration is material, the weight to be attached to each consideration, and whether individually or collectively they are sufficient to outweigh the provisions of the Development Plan. Examples of possible material considerations include: government policy including national planning policy guidelines; European policy; the design of the development and its relationship to its surroundings; views of statutory and other consultees; access, provision of infrastructure and planning history of site; legitimate public concern or support expressed on relevant planning matters.

15.1.5 In any given circumstance, a development proposal may raise issues which require it to be assessed against a number of policies in the Structure and Local Plan, and it may not be immediately obvious whether it does or does not accord with the Development Plan. In such circumstances, if there are factors pointing in opposing directions, the planning decision will be based on a balanced judgement about whether or not the proposal accords with the development strategy as detailed in Section 2 of the Structure Plan.

### Supplementary Planning Guidance

15.1.6 The production of supplementary planning guidance assists in supporting the Local Plan, especially in instances where the level of detail required would be inappropriate for inclusion in the Local Plan. As an integral part of the process it is therefore appropriate to look at more policies or subjects in more detail than can be provided in the Local Plan. It is therefore proposed that in order to supplement the Development Plan, the following detailed guidance be produced:

Minerals Strategy

Town Centre Strategy

Forestry Strategy

Design Guidelines

Development Briefs

Access Strategy

Fish Farming Framework Plan

Roads Development Guide

Wind Power and Wind Turbines Strategy

## **Working in Partnership**

15.1.7 The planning system is an integral part of a much wider process of public policy formulation not only within the Council, but externally involving a number of other key agencies. Partnership working is a powerful means of co-ordinating and focusing action by drawing on the expertise and resources of other organisations. The Orkney Local Plan has a wide sphere of interest, and in addition to the Council, many statutory agencies have an interest and role to play in its implementation. Examples include: Orkney Enterprise, Scottish Water, Orkney Housing Association, Orkney Tourist Board, Scottish Natural Heritage, RSPB, Scottish Environment Protection Agency, SportScotland and Historic Scotland. To this list must be added the private sector and the many other active groups representing the community, business and environment interests in Orkney. The Council will work with all of these to ensure that the Local Plan is being implemented and taken into account in decision making. Such an approach will allow the best use of locally (and externally) available sources of funding to ensure optimum local benefits.

### **PROPOSAL LP/IMR1**

#### **WORKING IN PARTNERSHIP**

**The Council will maintain regular and on-going liaison with other key agencies including the private and voluntary sectors to ensure the effective implementation of the Local Plan.**

## **Links with Other Plans**

15.1.8 The Development Plan is only one of a series of documents produced by the Council, which will influence the future development of Orkney. At an Orkney level, the Council is taking the lead role in the development of a Community Plan for Orkney, which will for the first time co-ordinate the strategies of all the agencies with which the Council works in partnership. The similarities between the community planning process and the Local Agenda 21 process has resulted in the combination of the two processes, and as a result separate Economic, Environmental and Social Strategies will be produced for Orkney, for eventual inclusion in an Orkney Community Plan. In terms of dealing with more specific issues, the Local Transport Strategy and the Area Waste Strategy both have obvious land use planning implications, as does the Housing Plan and it is important that linkages which exist between planning and related policy areas are developed and enhanced.

15.1.9 Other plans prepared by the organisations referred to above such as Scottish Water's Investment Plan all have land use implications, and again there is a need to ensure that such plans and strategies give full consideration to the policies and proposals contained in the Council's Local and Structure Plans.

## **Resources**

15.1.10 The policies and proposals contained within the Local Plan often have cost implications, and whilst Orkney Islands Council has a key role in supporting the development process, public funding is limited and is likely to remain so in the short-term. As stated earlier, the Council will require to work in partnership with the key agencies to ensure the effective use of available resources at a local level. With reference to direct funding from the Council, projects will be developed in line with the Capital Project Appraisal Scheme.

15.1.11 The availability of resources will be subject to change in the period of the Plan, with the discontinuation of European Structural Funding in 2006, likely to have a major effect. EU legislation also has a major effect on expenditure priorities, an example being Scottish Water's Capital Investment Programme, which is dominated by investment required to meet EU requirements. Additional funding is being made available for specific sectors such as public transport by the Scottish Executive, in response to new policy initiatives in this sphere. Other funding sources such as the Lottery need to be exploited to a greater degree, and more innovative ways of funding projects will have to be sought in partnership with others, in order to plan for medium and long-term projects.

## **Monitoring and Review**

15.1.12 The Local Plan must be able to respond to changing circumstances and the Council has a statutory duty to maintain an up-to-date and relevant Plan for its area. Monitoring of indicators on planning/appeal decisions, aspects of government advice and policy, economic, social and environmental trends in key topics including employment, population, housing, transport and retailing is an essential part of this process. The monitoring exercise, the results of which will be publicly available will provide the Council with an early indication of any inadequacies in the Plan and any changed circumstances, which would necessitate a full or partial review. National planning guidance recommends that Local Plans should be kept up-to-date and reviewed on no more than a 5-year cycle. It is therefore proposed to prepare a monitoring report within two years, with a full review commencing within no later than 4 years of its formal adoption.

### **PROPOSAL LP/IMR2**

#### **MONITORING AND REVIEW**

**The council will produce a local plan monitoring report within two years of its formal adoption, and will undertake a formal review of the local plan no later than 4 years after its formal adoption.**