



## 2011 CHAPTER 25

### PART 2

#### LOCAL DEVELOPMENT PLANS

##### *General*

##### **Survey of district**

**3.—**(1) A council must keep under review the matters which may be expected to affect the development of its district or the planning of that development.

(2) Those matters include—

- (a) the principal physical, economic, social and environmental characteristics of the council's district;
- (b) the principal purposes for which land is used in the district;
- (c) the size, composition and distribution of the population of the district;
- (d) the communications, transport system and traffic of the district;
- (e) any other considerations which may be expected to affect those matters;
- (f) such other matters as may be prescribed or as the Department (in a particular case) may direct.

(3) The matters also include—

- (a) the potential impact of climate change;
- (b) any changes which the council thinks may occur in relation to any other matter;
- (c) the effect such changes are likely to have on the development of the council's district or on the planning of such development.

(4) A council may also keep under review and examine the matters mentioned in subsections (2) and (3) in relation to any neighbouring district to the extent that those matters may be expected to affect the district of the council.

(5) In exercising a function under subsection (4) a council must consult with the council for the neighbouring district in question.

#### **Statement of community involvement**

**4.—**(1) A council must prepare a statement of community involvement.

(2) The statement of community involvement is a statement of the council's policy as to the involvement in the exercise of the council's functions under this Part and Part 3 of persons who appear to the council to have an interest in matters relating to development in its district.

(3) The council and the Department must attempt to agree the terms of the statement of community involvement.

(4) But to the extent that the council and the Department cannot agree the terms of the statement of community involvement the Department may direct that the statement must be in the terms specified in the direction.

(5) The council must comply with the direction.

(6) The Department may prescribe—

- (a) the procedure in respect of the preparation of the statement of community involvement;
- (b) the form and content of the statement;
- (c) publicity about the statement;
- (d) making the statement available for inspection by the public;
- (e) the manner in which—
  - (i) representations may be made in relation to any matter to be included in the statement; and
  - (ii) those representations are to be considered;
- (f) circumstances in which the requirements of the statement need not be complied with.

#### **Sustainable development**

**5.—**(1) Any person who exercises any function under this Part must exercise that function with the objective of furthering sustainable development.

(2) For the purposes of subsection (1) the person must take account of—

- (a) policies and guidance issued by—
  - (i) the Office of the First Minister and deputy First Minister;
  - (ii) the Department;

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*Status: This is the original version (as it was originally enacted).*

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- (iii) the Department for Regional Development;
- (b) any matters which appear to that person to be relevant.