



Each case is unique and must be considered on its merits. It is for the person appointed to determine the case to satisfy him/herself that the application of the practice contained in this note is appropriate to the circumstances of the case. A reporter who intends to depart from the guidance should advise a Principal or Assistant Chief Reporter so issues emerging can be considered for future case work.

<b>Guidance note:</b>	<b>Development Plan Examinations</b>
<b>Relating to:</b>	<b>Role of Lead Reporter</b>
<b>Background/ legislative and policy framework:</b>	<p>The relevant sections of the Act, the regulations and the circular as they apply to the process of examination for both strategic development plans and local development plans:</p> <ul style="list-style-type: none"> <li>• The Town and Country Planning etc. (Scotland) Act 1997- sections 12, 12A, 19 and 19A;</li> <li>• The Town and Country Planning (Development Planning) (Scotland) Regulations 2008, Regulations 18 to 23 and;</li> <li>• Planning Circular 6/2013: Development Planning, paragraphs 105-125.</li> </ul> <p>Taken together these require the development plan examination process to be:</p> <ul style="list-style-type: none"> <li>• reporter led and project managed to secure efficient delivery of the report (Circular 6/2013 says that Ministers' expectation is that from appointment to reporting will normally take around 6 months, and rarely exceed 9 months.);</li> <li>• succinct, proportionate and focused on issues rather than on individual objections;</li> <li>• generally based on the material already lodged by those making representations or by the planning authority - with additional information (obtained through site visits, further written statements, hearings and inquiries) only where necessary in the opinion of the reporter and;</li> <li>• easy to understand for all parties.</li> </ul>
<b>DPEA practice:</b>	<p>The DPEA administration team are in regular contact with all planning authorities and maintain a list of the anticipated submission date for all development plans. They provide pre-submission support to the planning authority to aid the smooth administration of the examination.</p> <p>The Head of Performance &amp; Administration will identify the anticipated lead reporter in advance of the submission of the development plan. The administration team will ensure the reporter is informed of progress and the expected date the plan will arrive</p>

	<p>with DPEA, and that a prompt start on the examination is not hindered by other casework commitments.</p> <p>On receipt of the plan, the administration team will arrange for the lead reporter to be appointed to conduct the examination and notify the planning authority of the appointment. The team will check the documents and pass them to the lead reporter.</p> <p>The lead reporter is responsible for the efficient project management of the DPE; and for ensuring that the procedures adopted in the examination, and reporters' recommendations, including the approach to dealing with any deficiencies identified in the plan, are consistent with legislative requirements and Circular 6/2013 (see above). The lead reporter should also have an overview of all recommended modifications to ensure that these form a consistent and coherent package.</p> <p>Other reporters may be appointed and will, within the overall context outlined above, retain responsibility for the issues allocated to them.</p> <p>Sections 12(6) and 19(7) of the 1997 Act require that the examination is not commenced within 4 weeks after the direction/appointment is made. During this period, the reporter may undertake pre-examination assessment and project management in order to identify the scope, scale and complexity of the task.</p>
Process:	<p>During the pre-examination period the lead reporter will undertake the following:</p> <ul style="list-style-type: none"> <li>• work with administrative staff to ensure that all necessary information has been submitted in the correct format;</li> <li>• scope the work to identify whether and how the workload can best be divided to deliver an efficient process that can be matched by the available staff resources (one or more additional reporters);</li> <li>• liaise with the Head of Performance &amp; Administration to secure appointment of additional reporters;</li> <li>• produce an outline project plan including indicative timescales.</li> </ul> <p>Upon commencement of the examination the lead reporter will:</p> <ul style="list-style-type: none"> <li>• assess conformity with the participation statement (see paragraphs 110, 111 and 126-129 of Circular 6/2013);</li> <li>• determine the approach to report writing and shape of the final report;</li> <li>• liaise with the administration team to convert the schedule 4 forms submitted by the planning authority into the template for each section of the report;</li> <li>• brief additional reporters and allocate issues to them, ensuring that they obtain all the necessary documents;</li> </ul>

	<ul style="list-style-type: none"><li>• identify over-arching or overlapping issues, both initially and throughout the examination process;</li><li>• monitor and discuss with other reporters all requests for further information prior to issue; and the need, where appropriate in the interests of natural justice, to ensure that other parties are given sufficient opportunity to respond;</li><li>• encourage a consistent approach;</li><li>• agree, in discussion with the other reporters, how any deficiencies in the plan should be addressed, having regard to paragraphs 120-123 of Circular 6/2013;</li><li>• manage the project (set and refine interim targets and completion deadlines);</li><li>• hold (monthly) business meetings with reporters and administrators;</li><li>• prepare and submit weekly timesheets and progress returns and encourage compliance of additional reporters;</li><li>• inform the Chief Reporter or an Assistant Chief Reporter if the examination is unlikely to be completed within 6 months;</li><li>• ensure travel and subsistence claims are submitted to the finance team on a monthly basis and encourage compliance of additional reporters;</li><li>• arrange for a monthly progress update to be sent to the council at the start of each month to coincide with the issuing of an invoice sent by finance team at the end of each month;</li><li>• review the entire report with an eye to identifying any errors or inconsistencies;</li><li>• arrange for the reporters to check and proof-read the report to confirm that all issues are covered and that any errors or inconsistencies are identified and eliminated or resolved; and</li><li>• collate and submit the final report, in liaison with the administration team.</li></ul>
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