

LDP Being Examination Ready - Training by DPEA

2026



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Introductions

- Who are we?
- Who has done schedule 4s before?
- Who is an LDP lead?
- Who works to an LDP team?
- Who else is here?
- What are your expectations for today?



Today

- Introductions
- Examination framework & questions
- Summary of unresolved issues & questions
- Explanation of Workshop 1
- Break (15 mins)
- Workshop 1: Identifying & grouping issues
- Lunch (12:15 to 13:15)
- Workshops 2 & 3 (together): Summarising representations & planning authority responses
- Break (10 mins)
- Administration and process
- Key messages, questions/discussion/feedback
- Close

1 hour

1 hour

2 hours

45 minutes



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Examinations



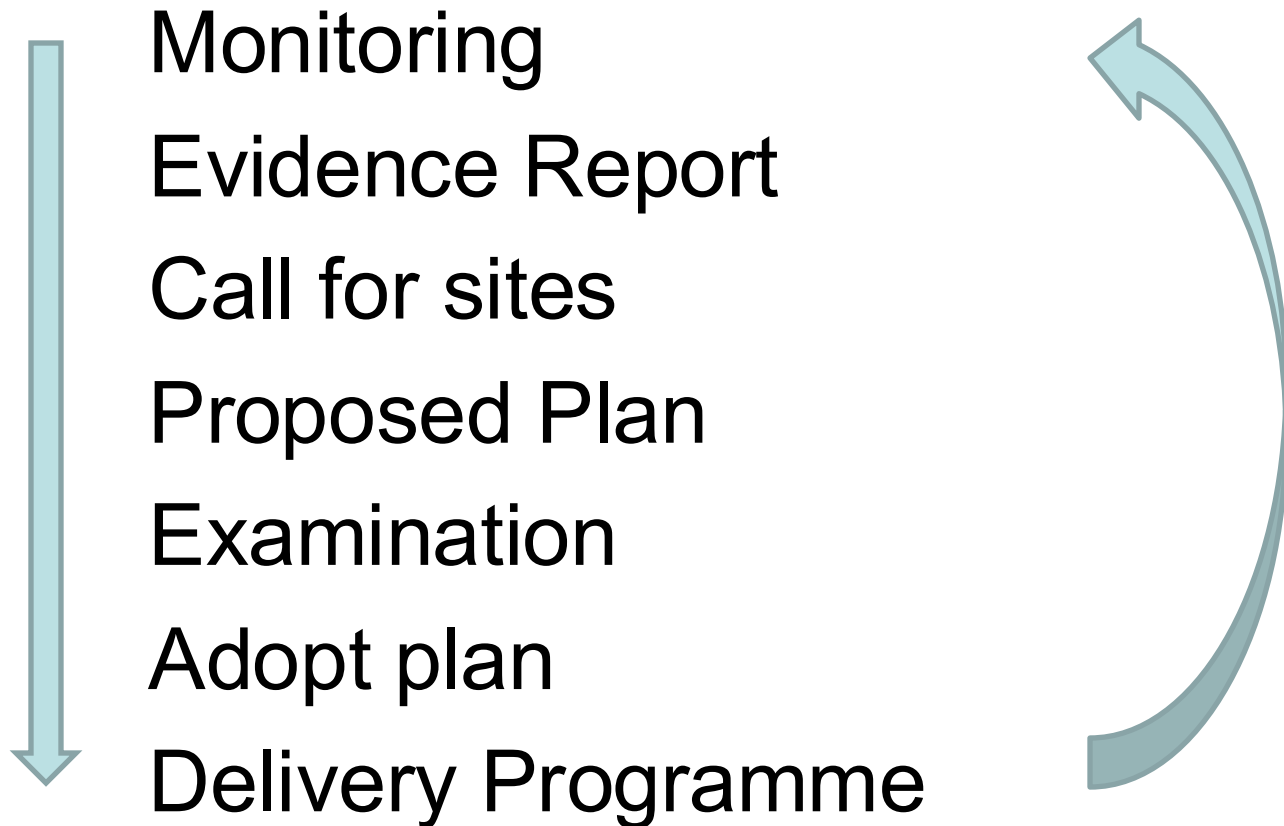
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Examinations

- Town & Country Planning (Scotland) Act 1997 as amended by 2019 Act
- Development Planning Regulations 2023
- Grounds for Declining to Follow Recommendations Regulations 2009
- LDP Guidance – May 2023
- DPEA guidance – in review



Circular process



Examination Aims

- Succinct
- Proportionate
- Cost-effective
- Reporter-led
- Issues not representations
- Transparent and accessible



Examination Scope

- Restricted to assess “issues raised in unresolved representations”
- Not a wider “test of soundness”
- Issues identified and sorted by authority
- Identify any deficiencies and recommend modifications or post-adoption actions
- Reject if insufficient housing land
- Not tasked with making the plan “as good as it can be”.



Reporter's Assessment context

- The Act and Regulations
- The matters to be taken into account
- The context set by NPF4
- The expectations set out in Scottish Government Local Development Planning Guidance and Circular 4/2025
- The supporting evidence – Evidence Report and any updates, Appraisals - Infrastructure, Draft Delivery Programme.



Reporter's Assessment

- Expectation to be place based and delivery focused
- Infrastructure First – step change
- Delivery programme key supporting document
- No need to repeat content of NPF4
- Clear reasoning and purpose for any divergence from expectations of NPF4 and guidance.



Examination Documents

- Proposed Plan (hard copy)
- Schedule 3's - summary of unresolved issues
- Copies of original unresolved reps (and highlighted extracts)
- Proposed Delivery Programme
- Participation Statement (and conformity report)
- Modification Report (if published)
- SEA Environmental Report and copies of opinions expressed
- Habitats Regulations Assessment.



Modification Report – SG Guidance

- Where authorities make modifications to a Proposed Plan following consultation
- The submitted Proposed Plan would include those changes
- Paragraphs 175 and 176 of the LDP Guidance
- The Act only requires Modification Reports to set out where changes have been made and why
- There is no required consultation on the modified Proposed Plan or Modification Report.



Other things we will expect

- Evidence Report and any updated background reports, up to date Housing Land Audit
- Maps of sites subject to unresolved reps
- Monthly update of applications/progress
- Approach to site assessment – including alternatives
- Approach to delivery
- Developer contributions strategy – consistent with Circular 4/2025
- How the plan takes account of NPF4.



Examination procedures

- Procedures at discretion of reporter(s)
- No right to be heard or submit material
- Generally, a site inspection for all sites
- Further information requests normal
- Hearing session(s) on some topics
- Inquiry unlikely



Being examination ready

- Consider past examinations – anticipate your issues
- Careful and realistic project planning
- Be proportionate – don't lose focus on the main issues/priorities
- Tackle issues prior to examination – keep evidence up to date as required to support your reasoning.



Questions



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Summary of Unresolved Issues



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Completing schedule 3s

- Shorthand for summaries of unresolved issues
- Named after part of the Regulations
 - Used to be called schedule 4s
- A standard template form
- Each schedule deals with a separate issue
- The schedule will detail the matters raised in representations on the respective issue
- Multiple schedule 3s together make up the Summary of Unresolved Issues.



Each schedule 3 must answer:

- What is the unresolved issue?
- What is the authority's settled position?
- What supports this position?
 - Evidence Report
 - NPF4
 - Spatial Strategy
 - Delivery considerations
- Why a modification is not supported.



Issue (ref and heading):		
Development plan reference:		
Body or persons submitting a representation raising the issue:	Representation ref(s):	
Provision of the Local Development Plan to which the issue relates:		
Summary of representation(s):		
Modifications sought by those submitting representations:		
Summary of response by planning authority [Note 1]:		

**Workshop 1:
grouping
issues**

**Workshop 2:
Summarising
reps**

**Workshop 3:
Authority's
response**

Note 1 – include a statement of the reasons why the authority did not modify the proposed plan to take account of the issues raised by the representations.

Questions



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Workshop 1: Identifying and grouping issues

- Cards containing a variety of unresolved reps.
- Identify:
 - the relevant issues
 - how these issues could be grouped
 - any overarching issues?
 - think about cross-references
 - is it policy or place-focused?



Questions



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Coffee Break



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Workshop 1 (1 hr)

Reminder:

- Look at the representations on cards
- **Group into logical sets of issues**
- Look carefully at what is being said
- What is the representation about?
- 45 minutes
- 15-minute discussion after
 - 2 mins per group for feedback (10 min)
 - DPEA feedback (5 mins)



Feedback

- What each group found (2 minutes)
- DPEA points:
 - Policy and place issues
 - Something else/other
 - Designing forms and systems to group reps at the outset
 - Guiding those writing letters and emails
 - Getting the computer to do the work.



DPEA Observations

- Identify strategic / overarching issues first – spatial strategy, housing land, infrastructure
- Arrange by settlement or site? Look at how other similar authorities may have tackled this
- Distinguish allocated sites from promoted sites
- Follow the structure of the plan
- When submitting for examination, useful to provide overall list of the issues.





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Workshops 2 & 3

- Reporter costs £400 per day
- Reporter reads your schedule 3
 - They come to it cold
 - What and where are the issues?
 - How many people share that view?
 - What changes do they want to the plan & why?
 - What is the authority's rationale and **evidence**?
 - Does the authority want to modify or not?
- Be clear, concise, and well-evidenced.



Workshops 2 and 3 together

- Next 2 hours in groups
- 2 examples – Issues 001 and 002
- First, read the summary of reps for both issues then critique them (good and bad) (40 mins)
- Second, read the authority response for both issues then critique (good and bad) (40 mins)
- 25 mins feedback (5 mins per table key observations)
- 15 mins DPEA feedback.



Feedback

- 5 minutes per table (25 min total)
- 15 mins DPEA



Workshop 2: Principles of summarising representations

- How to summarise well:
 - do not list every point raised
 - do not describe who said what
 - focus on the issues raised
 - summarise repeated points once only
 - use your own words (not verbatim)
 - capture the unresolved issue(s)
- Test – could your summary be understood without reading the original?



Workshop 2: Principles of summarising representations

- Tackle strategic issues first
- Don't rely on an assumption of knowledge (reporter will have no / little knowledge of area and the concerns raised)
- Do not list them in alphabetical or numerical order – group by matter raised
- Use sub-headings to order the separate matters.



Workshop 3: Principles of Planning Authority Response

- Max 800 words
- Be consistent (but bespoke), clear, precise, and fair in responding
- Address Key Agency responses
- Consider against NPF4 and explain any departure
- Modification Report should help in explaining changes made to the proposed plan
- Explain site assessment points (where necessary)
- Provide standard information for all allocated and promoted sites.



Comfort break

- Back in ten please



Pre-Submission Liaison

- Early and ongoing engagement with DPEA is key.
- Initial liaison meeting with members of Admin Team and a Reporter – for general guidance and key dates.
- Holding further meetings to discuss admin requirements saves abortive work later i.e. naming conventions / links and use of the DPEA portal.
- Keep DPEA updated with any slippage or potential delays to allow for workforce planning purposes.



Actions before Submission

- Consider time from end of plan consultation to submission for examination.
- Easy to underestimate the admin tasks involved.

Asap after consultation period ends:

- View examples of previous completed exam reports
- Forward a variety of sample schedule 3's to DPEA for comment on structure and referencing
- Forward samples of contact spreadsheets / list of issues / contents pages / Core/Representee Documents lists
- 4 weeks before you submit plan, DPEA can arrange a final admin session to go through any outstanding issues.



DPEA Admin help

The Admin Team will discuss with you:

- Naming Conventions
- Numbering of reps (prefer 1 to 100 not 1a, b, 2a etc.)
- Document Libraries – refer to the documents held
- Editorial style – responsibilities
- Explain structure of the plan (place or topic-based)
- Use of links (doc libraries and control of link source)
- Redacted information (sensitive info – advise DPEA)
- Fee structure (up to date at that time)
- DPEA Portal use (can start well in advance).



Plan Submission

- Authority submits Proposed Plan and documentation to DPEA requesting examination
- Admin check takes place & reporter/s appointed
- Authorities advertise appointment and 'serve notice' on representees
- Lead reporter scopes the initial project plan estimating the costs/number of reporters
- All liaison goes through the appointed DPEA casework officer.



Participation Statement

Reporter focus:

- Whether consultation and engagement meets or exceeds what your Participation Statement promised.
- Considers the evidence provided.
- Assessment only relates to Proposed Plan stage.

Documents required:

- Participation Statement
- Report on conformity
- Representations relating to consultation and engagement.



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Participation Statement

If reporter not satisfied:

- Report outlines why and provides recommendations
- Report is submitted to Scottish Ministers
- Authority has 4 weeks to make representations.

Scottish Ministers may:

- Direct authority to take further steps
- Direct reporter to proceed to examination.



Examination Report

- Once all the information is complete, reporters draft their conclusions and recommendations on each issue.
- DPEA Admin compile the report along with a summary table of the recommendations.
- DPEA submit report to authority, publish to the web and notify the representees of the report publication.
- Following completion of report, DPEA / authority may exchange feedback on procedural aspects.



When ready to submit:

- Check all documentation for accuracy
 - Quality checks, spelling (MS word read aloud)
- Ensure staff/authority are available to respond during examination.
 - Further information requests (FIRs) are normal, so expect them
 - So are requests for monthly application and appeal updates.

When the examination report is issued:

- Read it fully before asking for clarifications.



Questions



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Key messages from today



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Key messages: Pre Consulting

- Do what your participation statement says.
 - Evidence it (photos, flyers, dates, and venues)
- Set up your systems to help:
 - Electronic systems and response forms
 - Literature, displays, and guides
 - Direct people to say what part of plan reps cover, what change and why
 - Use events to tell them how.
- Project plan your post consultation exercise in advance.



Key messages: Grouping

- Think about how to sort your issues ahead of time (location/topic...)
 - place, policy, strategy, technical detail, evidence base
- Use your electronic systems to group reps to the same parts of the plan together
- What about “other” topics – e.g. things not in the plan?
- Grouping letters/emails.



Key messages: Summarising

- Summarise issues not people.
- Identify different points under that issue.
- How many people share that view.
- What changes are sought and why.
- **Tell us once** (150 reps or 2 reps).
- Be clear, fair, and concise.



Key messages: LPA response

- Max **800** words
- Follow subheadings from reps summary
- Address all issues and points raised
- Tell the story (context)
- **Evidence, evidence, evidence**
- Clear referencing (documents pages, paragraphs and table/figure nos/cross ref to other schedule 3s)
- Modification or no modification.



Key messages: Resourcing

- Engage early and throughout, with DPEA contact.
- Agree how to manage and organise admin tasks in advance.
- Allocate sufficient time/staff to summarise and respond to matters (project planning).
- Big task - make time or it won't happen.
- Quality checks pre-submission (saves time later).
- Document library and document checks.



Questions & discussion

Feedback on today



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Any suggestions as to how we might improve this training?



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Thank you

Have a safe trip home.



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