

SECOND MINUTE OF VARIATION OF  
AGREEMENT

among

ANGUS COUNCIL, DUNDEE CITY COUNCIL,  
PERTH AND KINROSS COUNCIL and FIFE  
COUNCIL ("the Constituent Councils")

WHEREAS the Constituent Councils entered into a Minute of Agreement dated the Thirtieth day of October, Two thousand and eight, and subsequent dates whereby the Constituent Councils, inter alia constituted a Joint Committee to be known as "the Dundee, Perth, Angus and North Fife Strategic Development Planning Authority" and thereafter entered into a Minute of Variation of said Minute of Agreement dated the Eleventh day of September Two thousand and nine and have adopted thereunder a Scheme of Delegation and Financial Regulations WHEREAS the Constituent Councils have agreed to further amend the said Minute of Agreement (in terms of Clause THIRTEEN thereof) and the said Scheme of Delegation and Financial Regulations with effect from the last date of ratification of the amendments set out herein THEREFORE it is agreed by the Constituent Councils, as follows, videlicet:

FIRSTLY In the said Minute of Agreement, as amended:-

(ONE) In Clause Eight (Meetings) the number and words "4 ordinary meeting" shall be deleted and the following shall be substituted therefor:- "not fewer than 2 ordinary meetings".

(TWO) Clause NINE shall be deleted and the following shall be substituted therefor:-

"NINE Powers and Duties of the Joint Committee.

Without prejudice to the foregoing provisions and subject always to the following provisions hereof the Joint Committee shall have the power to undertake the functions set out in Clause SECOND hereof, (including all other statutory functions in relation to the preparation, making and keeping under review of the Strategic Development Plan) subject to the proposed boundary of the Dundee, Perth, Angus and North Fife Strategic Development Plan area, the Staffing Structure and SDPA budget being ratified by the Constituent Councils.

For the avoidance of doubt, the content of any Strategic Development Plan and the key stages of the plan preparation process, including the Main Issues Report on the Proposed Plan and responses to objections shall also require to be ratified by the Constituent Councils. Notwithstanding this, the Joint Committee shall have full delegated authority to:-

- (a) determine not to modify the Proposed Strategic Development Plan under Sections 10(3) and 12A(5) of the Town and Country Planning (Scotland) Act, 1997. If modifications were agreed by the Joint Committee under these provisions these would require ratification by the Constituent Councils.
- (b) approve background documents including background technical papers, Equalities Impact Assessment, Schedule of Responses to the Main Issues Report, Monitoring Statement, Development Plan Scheme and Adoption of Action Programmes at different stages of the plan process.
- (c) approve the content of the Summary of Unresolved Issues (under Paragraph 20 of and Schedule 4 to the Town and Country Planning (Development Planning (Scotland)

Regulations 2008 SSI 2008 No 426) if the Joint Committee determine not to modify the Proposed Strategic Development Plan.

SECONDLY In the said Scheme of Delegation (February 2009):-

- (a) In the preamble insert the words "as amended" after the words "Agreement" and "Regulations";
- (b) In Clause 5.1 add,
  - (i) Completion of Section 14 (of the 1997 Act) procedure (Publication and Publicity following consultation of Plan);
  - (j) Responding to requests by the appointed person for further representations and information under Paragraph 22 of the Town and Country Planning (Development Planning) (Scotland) Regulations 2008; and
  - (k) Execution of all actions necessary to comply with the procedural requirements relating to the functions delegated to the Joint Committee.

THIRDLY In the said Financial Regulations:-

In Clause 9.5, delete the words:- ", at the February meeting,"

FOURTHLY Save as amended hereby the whole terms and conditions of the said Minute of Agreement, Scheme of Delegation and Financial Regulations shall remain in full force

and effect: IN WITNESS WHEREOF these presents typewritten on this and the preceding page are executed as follows, videlicet, they are sealed with the Common Seal of Fife Council and subscribed for them and on their behalf by Jane Elizabeth Donaldson, Managing Solicitor, all at Glenrothes on the First day of August, Two thousand and eleven, they are subscribed for and on behalf of Angus Council by Sheona Craig Hunter, a Proper Officer, at Forfar on the Ninth day of the month and year aforementioned in the presence of George Alexander Beaton, Solicitor, Forfar, they are sealed with the Common Seal of Perth and Kinross Council and subscribed for them and on their behalf by Ian Taylor Innes, their Head of Legal Services and Proper Officer, all at Perth on the Twenty second day of the month and year lastmentioned, and they are subscribed for and on behalf of Dundee City Council by Roger William Hunter Mennie, a Proper Officer, at Dundee on the Twenty fourth day of the month and year last mentioned in the presence of David Alexander Barrie, Solicitor, Twenty one City Square, Dundee.

J E Donaldson PKC

Jane E. Donaldson

David A. Barrie  
Witness

Alex

DL

George Alexander Beaton

Sheona C Hunter