



**URGENT BUSINESS**

Cabinet

Tuesday, 1 October 2019

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**CABINET**

**Local Plan Review  
Establishment of Local Plan Review Advisory Group**

**URGENT BUSINESS**

**1 October 2019**

**Report of Director for Economic Growth and Regeneration**

PURPOSE OF REPORT			
To seek Cabinet's approval for the establishment of the Local Plan Advisory Group, and to agree the Terms of Reference for the Group.			
<b>Key Decision</b>	<input type="checkbox"/>	<b>Non-Key Decision</b>	<b>X</b> <b>Referral from Cabinet Member</b>
<b>Date of notice of forthcoming key decision</b>	N/A		
<b>This report is public.</b>			

**RECOMMENDATIONS OF COUNCILLOR JOHN REYNOLDS**

- (1) That the establishment of the Local Plan Review Advisory Group is agreed; and,
- (2) That the timetable and the terms of reference for the Local Plan Review Advisory Group, as set out in Appendices A and B, are approved.

**1.0 Introduction**

- 1.1 The Council has previously operated a Planning Policy Cabinet Liaison Group. This Group was a non-decision making consultative forum designed to assist Cabinet Members in their decision-making responsibilities. The forum provides the expertise to the appropriate Cabinet Members to allow them to either take individual decisions or to make recommendations into Cabinet.
- 1.2 Following the establishment of the new Cabinet and the subsequent appointment of Portfolio Holders in May 2019, Cabinet Members expressed a desire to review the Local Plan, particularly in relation to the January 2019 Climate Emergency declaration and the desire to make more progress on the climate change emergency targets. At a series of subsequent briefings, Officers provided advice regarding the possible adoption of the current Local Plan, which had just progressed through Examination in Public. In addition to this, Officers mapped out a possible timetable for an immediate Local Plan Review.

- 1.3 As part of any such Review, Officers suggested that the Planning Policy Cabinet Liaison Group be replaced by a Local Plan Review Advisory Group, which would aim to meet on a bi-monthly basis.

## **2.0 Local Plan Progress and Review**

- 2.1 The Strategic Policies and Land Allocation Development Plan Document (DPD) and the Development Management DPD were submitted for examination to the Secretary of State (Planning Inspectorate) on 15 May 2018. The Examination Hearings were held across a period of three weeks commencing on 9 April 2019, with an additional sitting day on 21 May 2019.

- 2.2 Following the Examination, the Inspector issued a Post Hearing Note to the Council on 31 May 2019, to which the Council responded on 3 July 2019. Both documents are publicly available in the Local Plan Examination Library.

- 2.3 Further to this, the Council wrote to the Planning Inspectorate again on 16 July 2019 at the request of the Council's Leader. This letter, which is also publicly available in the Examination Library, served to inform the Inspector of the changing political administration of the Council following the May 2019 local elections. It also confirmed the Council's position following the first meeting of the newly-elected Council on 26 June 2019, and noted that the Council wished to notify the Inspector (during his ongoing deliberation of the soundness of the submitted Local Plan documents) of:

- Their wish that the Inspector should continue to be alert to the concerns raised on the climate change agenda presented by the parties at the Examination Hearing Sessions; and,
- To make the Inspector aware of the Council's clear, current intentions for taking local action on the climate change agenda.

The letter concluded by advising that should the Inspector consider the Local Plan 'sound', and the Council subsequently determined to adopt the submitted documents, the Council anticipates that it would promptly resolve to commence a review of the adopted documents, taking account of any relevant new evidence; potential new national guidance; and the Council's Climate Emergency Declaration.

- 2.4 This report sets out the timetable for the review (Appendix A), and the Terms of Reference for the Advisory Group (Appendix B).

## **3.0 Details of Consultation**

- 3.1 None, other than via informal briefings to Cabinet regarding the process of adoption of the Local Plan and the potential for Local Plan Review.

## **4.0 Options and Options Analysis**

- 4.1 There are no additional options in terms of the timescale for the Local Plan Review. This represents the most expeditious timescale and is subject to appropriate resourcing to ensure delivery (and is subject to external factors, such as timely appointment of a Planning Inspector by the Planning Inspectorate).

4.2 The Terms of Reference for the Group are intended to be high-level and are deliberately flexible to allow Group Members to set the agenda and scope of the Local Plan Review. Given this need for flexibility, there are no further options to consider.

**5.0 Conclusion**

5.1 Subject to the approval of the timetable and Terms of Reference, it is envisaged that the initial scoping meeting of the Local Plan Review Task group would be held later this month.

<p><b>RELATIONSHIP TO POLICY FRAMEWORK</b></p> <p>The Local Plan will help deliver the Council's vision and ambitions for the district, as advocated within the Council Plan 2018-2022.</p>	
<p><b>CONCLUSION OF IMPACT ASSESSMENT</b> (including Health &amp; Safety, Equality &amp; Diversity, Human Rights, Community Safety, HR, Sustainability and Rural Proofing):</p> <p>None directly arising at this stage.</p>	
<p><b>LEGAL IMPLICATIONS</b></p> <p>None directly arising at this stage.</p>	
<p><b>FINANCIAL IMPLICATIONS</b></p> <p>None directly arising at this stage.</p>	
<p><b>OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:</b></p> <p>None directly arising at this stage.</p>	
<p><b>SECTION 151 OFFICER'S COMMENTS</b></p> <p>The s151 Officer has been consulted and has no further comments.</p>	
<p><b>DEPUTY MONITORING OFFICER'S COMMENTS</b></p> <p>The Deputy Monitoring Officer has been consulted and has no further comments.</p>	
<p><b>BACKGROUND PAPERS</b></p> <p>Appendix A – Current Timetable for the Local Plan Review</p> <p>Appendix B – Terms of Reference for the Local Plan Review Advisory Group</p>	<p><b>Contact Officer:</b> Mark Cassidy  <b>Telephone:</b> 01524 582390  <b>E-mail:</b> mcassidy@lancaster.gov.uk  <b>Ref:</b></p>

## **APPENDIX A: CURRENT TIMETABLE FOR THE LOCAL PLAN REVIEW**

### **October 2019-February 2020: Development of plan review scoping agenda.**

- Discussions with Local Plan Review Advisory Group (LPRAG) to develop understanding of scoping agenda and direction for plan review
- Report to LPRAG describing national planning guidance and evidence requirements particularly for matters identified as prospective plan review agenda.
- Report to LPRAG describing direction and purposes of a prospective plan review.

*February 2020: Report to Council with recommendation for the formal adoption of Strategic Policies and Land Allocations and Review of Development Management Policies*

### **March-May 2020: Formalising the Plan Review and establishing a review timetable**

- Draft Revised Local Development Scheme discussed with Portfolio Holder(s) and LPRAG
- Preparation of Topic Papers for matters identified as emerging plan review agenda
- Report on Revised Local Development Scheme with Plan Review timetable taken to Cabinet
- On-going - gathering evidence to inform plan review

### **June-August 2020: Considering Evidence and Preparing Options Consultation Documents**

- Initial consultation on plan review ("Issues and Options" stage)
- On-going - gathering and considering evidence to inform plan review

### **September-December 2020: Preparing Plan Review Documents**

- Consider Responses to Issues and Option Stage
- Prepare Draft Plan Review Documents
- Report on Draft Plan Review Documents taken to Council seeking authority to publish for consultation ("Preferred Options" Stage)

### **January-March 2021: Decision on Publication and Submission**

- Report on Plan Review Documents brought to Council seeking authority to formally publish for formal 6 week consultation ("Publication" Stage), and subject to delegation to amend, formally Submit to Government

### **April-June 2021: Submission to Government**

- Examination process commences

### **July-September 2021: Examination**

- Local Plan Hearing Sessions

### **October-December 2021: Post Hearing Sessions**

- Modifications Consultation
- Await Inspector's Report

### **January-March 2022: Finalising Reviewed Plan**

- Receive Inspector's Report
- Prepare reviewed plan for adoption

### **April 2022-June 2022: Adopting Reviewed Plan**

Report to Council with recommendation for the formal adoption of review of Strategic Policies and Land Allocations and Review of Development Management Policies

## **APPENDIX B: TERMS OF REFERENCE FOR THE LOCAL PLAN REVIEW ADVISORY GROUP**

### **Chair: Cabinet Member with Responsibility for Planning**

#### **Composition:**

- Up to 10 members of the Group
- Open invitation to all Councillors from all political groups that the Cabinet Member sees fit
- No substitute members attending
- Meeting frequency will be determined by the Group, but initially will be bi-monthly, commencing October 2019 and lasting until the Reviewed Plan is formally adopted.
- The meetings will be minuted.

#### **Terms of Reference:**

##### **Generally:**

- To provide a forum for to consider the purpose, scope and future direction for a review of the documents comprising the adopted Lancaster District Local Plan.
- To subsequently undertake such a review in the context of:
  - (i) The Council's declared Climate Emergency, aiming to demonstrate how revised policies contained within the reviewed Local Plan will ensure that development is resilient to climate change, and set out how it will contribute to reducing emissions in accordance with the provisions of the Climate Change Act;
  - (ii) Any new national planning guidance; and,
  - (iii) The updated evidence base.
- To ensure that the review adheres to the national procedures for the preparation and review of Local Plans, as set out in the Town and Country Planning (Local Planning) (England) 2012 Regulations.

##### **Initial Focus:**

- To set the purpose, scope and direction of the Local Plan Review, and to ensure that there are sufficient resources to deliver the Review in accordance with the timescale set out at Appendix A.

##### **Expected Outputs:**

- To act as an Advisory Group at all stages of the Local Plan Review process, resulting in the submission to the Secretary of State, and subsequent adoption, of the Reviewed Local Plan.