

Harborough District Council



Report to Cabinet Meeting of 10th February 2025

Title:	Approval to renew four Contracts over £50,000 to enable preparation of the new Harborough Local Plan.
Status:	Public with exempt appendix not for publication by virtue of paragraph 3 of Part 1 of Schedule 12a of the Local Government Act 1972. Having regard to all the circumstances the public interest in maintaining the exemption outweighs the public interest in disclosing the information because of the commercial sensitivity of the contracts.
Key Decision:	Yes
Report Author:	David Atkinson (Director of Planning)
Portfolio Holder:	Cllr Simon Galton (Portfolio Holder for Planning)
Appendices:	Appendix A - Exempt

Summary

- i. This report seeks approval from Cabinet to award four contracts with a value of between £50,000 and £100,000 to service providers, as detailed in the exempt Appendix A, to enable the efficient preparation of the new Harborough Local Plan.

Recommendation

It is recommended that Cabinet:

- 1. Approve the renewal of the four contracts set out in the Exempt Appendix A from 1st February until 30th September 2025.**
- 2. Renew delegated authority to the Director of Planning, in consultation with the Portfolio Holder, Planning and the Head of Legal Services, to negotiate (including minor variations) and finalise all necessary legal agreements to facilitate the transaction.**

Reasons for Recommendation

- i. To ensure experienced, specialist, technical support, contracted to the council under fixed-term contracts to prepare the new local plan, are retained until all local plan preparation processes up to, and including, submission of the new local plan for public examination, are concluded in accordance with the programme set out in the updated Local Development Scheme to be considered by Cabinet at their meeting on 20th February.

1. Purpose of Report

- 1.1 This report seeks approval by Cabinet for approval of four contracts related to the preparation of the Local Plan, and to renew delegated authority to the Director of Planning, in consultation with the Portfolio Holder, Planning and the Head of Legal Services, to negotiate and finalise the contracts, including minor variations.

2. Background

- 2.1 Full Council at its meeting on 18th December 2023 approved the preparation of the new Local Plan. Significant progress has been made in preparing the new plan and work is now at an advanced stage. In December 2024 the Government published a new National Planning Policy Framework (NPPF) which amended the timescale available to prepare the new local plan. Therefore, an updated Local Development Scheme is being prepared and considered by Cabinet at their meeting on 20th February 2025. In order to ensure the council retains the experienced specialist technical support it currently has to ensure the preparation of the new local plan to submission for public examination remains on programme, there is a need for Cabinet to approve the renewal of the four fixed term contracts set out in the Exempt Appendix A.
- 2.2 The new draft, Regulation 19 stage, local plan will now be considered by Cabinet for recommendation to Council on 20th February 2025, subsequently Council will consider the new local plan for publication for public consultation on 3rd March 2025. It is anticipated that, should this be approved by Council, public consultation on the new local plan will run for a minimum of 6 weeks from mid-March. Not publishing the plan for public consultation by 12th March 2025 would mean that the requirements of the NPPF transitional arrangements would not be met. This would mean that the council would not be able to progress the preparation of the new local plan under the provisions of the December 2023 version of the NPPF, but rather, would need to prepare the new plan under the provisions of the December 2024 NPPF. This scenario would have led to higher housing numbers for the district. It is important to ensure that a new local plan is put in place to guide new development in the district as soon as possible, so being able to progress a new local plan under the NPPF transitional arrangements is important in achieving that goal. It is also important to note that the council have been made aware that the deadline for submission of the new local plan of 30th June 2025 no longer exists meaning that the council is able to submit its new draft local plan for examination a little later in the year which allows some more time for preparation for submission.

2.3 Following the public consultation period, detailed analysis of what is potentially going to be a considerable number of representations received to the Regulation 19 stage, local plan will be undertaken. Additionally, a considerable amount of work will be required to prepare various documents to enable the new local plan to be submitted later in the year. It is anticipated that this work will be completed to enable the local plan to be submitted for public examination in the late summer/early autumn of 2025. In light of this significant new programme of work, partially arising from the publication of the new NPPF, and partially from work that would be needed to be done in any event, Cabinet are recommended to extend the four contracts listed in Exempt Appendix A from 1st February 2025 up to 30th September 2025, to enable the considerable amount of work required in this period to be successfully completed and for the preparation of the new local plan to remain on track. It is important to ensure the new local plan is prepared in the shortest possible timescale in order to protect the Harborough District from unwanted, and potentially unsustainable, speculative development.

3. Implications of Decisions

Corporate Priorities

3.1 The preparation of the new local plan is a corporate priority for the council in order to protect the district from unwanted speculative development taking place in potentially unsustainable locations that are not best suited to the needs of the community. The new local plan will help deliver the following corporate priorities:

- CO1: There will be an adequate supply of housing to meet local needs across all tenures and price ranges and reducing the potential for homelessness.
- CO2: Our local plan will ensure growth in the area is balanced with employment opportunities and ensure that transport and infrastructure needs are met.
- CO3: The rural nature of the district will be recognised, and our heritage and cultural assets are preserved.
- CO4: Engagement of our local communities, the voluntary and charitable sector and ensuring they actively manage their own localities and shape their own places.
- CO5: The district will be shaped through good design, that addresses local needs and promotes healthier life choices.

The policies of the new local plan will set out how these corporate priorities are to be met and achieved. The new policies will be assessed in the light of these corporate priorities to ensure they meet the aims and objectives of the Council's Corporate Plan.

Consultation

3.2 As this is an internal council governance matter there is no need for consultation.

Financial

3.3 No additional resources are required. Funding is available from within the existing Local Plan budget.

Legal

- 3.4 Subject to approval of the recommendations, the contractual obligations will need to be properly documented as required by the District Council's Constitution and also in accordance with all enabling legislation in force. It is also important to ensure audit trails are in place and maintained for transparency purposes to minimise the risk of reputational harm to the District Council.

Environmental Implications

- 3.5 The new Local plan will have implications in relation to the spatial planning of the district, it will guide the delivery of development in a plan-led way and coordinate environmental protection. The wider environmental implications of the scale and distribution of development and associated supporting infrastructure will be assessed through the Sustainability Appraisal of the Local Plan, which incorporates the requirements of the SEA Directive. The SEA Directive is important to the preparation of the local plan. It is one of the key documents that ensures that the spatial strategy of the plan is sustainable and that the plan delivers sustainable development. This will ensure that the plan provides the best possible benefit to the district because development planned for and undertaken in accordance with the plan, will be delivered in a way that minimises its impact on the local environment in the area.

Risk Management

- 3.6 Extending the four contracts set out in Exempt Appendix A will enable the preparation of the new local plan to remain on track and in accordance with the programme set out in the updated Local Development Scheme.
- 3.7 Not meeting the government deadline to publish the new draft, Regulation 19, local plan for public consultation by 12th March 2025 would mean that the council would not be able to prepare a plan under the NPPF transitional arrangements. This would mean the council would not be able to prepare a new local plan under the provisions of the December 2023 version of the NPPF as this will be redundant and deleted. The council would then need to prepare its new local plan under the provisions of the December 2024 NPPF. This would mean higher overall housing numbers that the plan would need to provide for. Post public consultation, the removal of the requirement of the previous government to submit the new local plan for public examination by 30th June 2025 provides more time for the council to prepare the plan for submission to the Planning Inspectorate for independent public examination. For these reasons it is important to ensure the new draft, Regulation 19, local plan is published for public consultation by 12th March 2025 and then submitted for public examination as soon as possible thereafter, ideally no later than late summer/early autumn of 2025. This scenario will ensure that the district is able to adopt a new local plan at the earliest possible date, and thereby protect the district from unwanted, and potentially unsustainable speculative development as soon as possible. Cabinet approving the recommendations set out in this report will facilitate this being achieved.

Equalities Impact

- 3.8 An Equalities Impact Assessment (EIA) for the Local Plan will be prepared and updated at key stages of the Local Plan making process. In addition, an EIA will be prepared for each public consultation stage.

Data Protection

- 3.9 Where appropriate, consultants undertaking evidence studies and technical specialists, will be required to meet the provisions of the UK General Data Protection Regulations and the Data Protection Act 2018 in respect to any data handling.

4. Alternative Options Considered

- 4.1 *Option 1: Not to renew the four contracts set out in Exempt Appendix A.* This is not Recommended because this would mean that the council would no longer have sufficient resources to complete the preparation of the draft, Regulation 19, local plan in time for consideration by Cabinet and Council to allow publication for public consultation of the draft local plan by the government deadline set out in the December 2023 NPPF transitional arrangements of 12th March 2025. It would also mean the council would no longer have sufficient resources to effectively manage the public consultation and prepare the plan for submission to the Planning Inspectorate for public examination by late summer/early autumn 2025. This would take would prevent delivery of the local plan in accordance with updated Local Development Scheme timelines. For the council to adopt a new local plan as quickly as possible to ensure a plan-led approach to the delivery of sustainable development is maintained across the district, it is important that the local plan preparation timetable set out in the updated Local Development Scheme is met. It is for this reason that the timelines in the updated Local Development Scheme are tight. By approving the recommendations of this report, Cabinet will be supporting the continued efficient preparation of the new local plan.

5. Recommendations

It is recommended that Cabinet:

- 1. Approve the renewal of the four contracts set out in Exempt Appendix A from 1st February until 30th September 2025.**
- 2. Renew delegated authority to the Director of Planning, in consultation with the Portfolio Holder, Planning and the Head of Legal Services, to negotiate (including minor variations) and finalise all necessary legal agreements to facilitate the transaction.**

6. Background papers

6.1 There are no background papers to accompany this report.