

PAPER NO. 1

REPORT TO THE EXECUTIVE MEETING OF 31 OCTOBER 2016

Meeting: Executive
Date: 31st October 2016
Subject: Harborough Local Plan – Local Development Scheme Review
Report of: Head of Planning and Regeneration
Portfolio Holder: Cllr. Jo Brodrick
Status: For Decision
Relevant Ward(s): All

1. Purpose of the Report

1.1 To seek members' approval to a revised timetable for the preparation of the Local Plan and for this to be included in an updated version of the Council's Local Development Scheme for publication.

2. Recommendations:

2.1 To approve the revised Local Plan timetable at Appendix A for inclusion in an updated Local Development Scheme and to give delegated authority to the Head of Planning and Regeneration to make any necessary changes to update and publish the updated Scheme

3. Summary of Reasons for the Recommendations

3.1 To update members on the need to revise the timetable for the preparation of the Local Plan and to ensure a revised Local Development Scheme is published in order to meet legal requirements.

3.2 To highlight that there are a number of external issues which have caused unavoidable delays which will have an impact on the current timetable for developing the Local Plan. These issues are namely: the ongoing HEDNA (Housing and Employment Development Needs Assessment) work, the outstanding spatial issues and the satisfactory completion of a cross-Leicester and Leicestershire Housing Market area Statement of Cooperation Memorandum of Understanding to be drawn up and agreed across the Housing Market Area.

3.3 Extending the timetable will also ensure that there is adequate and appropriate time to enable Executive and other members to be fully engaged in the Plan making process.

3.4 There is a need to consider this matter urgently so that the current work plan can be adjusted where necessary and it avoids the risk of any pre-emptive work being undertaken which would not be required at this stage by the revised timetable.

4. Key Issues

4.1 A Pre-submission draft Local Plan is currently under preparation. It is anticipated that following approval by Council this draft Plan will be published for a minimum period of six weeks for any interested parties to make representations on the 'soundness' of that draft Plan.

4.2 Good progress has been made with the preparation of the draft Plan.

4.3 The main highlights of the current local plan preparation work programme are set out in Table 1 below:

Table 1 – Current Local Plan Work Programme Timetable Key Milestones

December 2016 – Council approval of pre-submission Local Plan for publication
April 2017 – Submission of the Local Plan for Public Examination
June/July 2017 – Examination Hearings
November 2017 – Receipt of Final Inspector's Report
December 2017 – Adopt the Plan

4.4 However, in the light of a number of external factors upon which the preparation of the Local Plan is dependent, it is considered necessary to modestly re-profile the Local Plan work programme and consequentially the published Local Development Scheme.

4.5 Modestly increasing the amount of time available for the preparation of the new Local Plan will mean that the published Local Development Scheme, February 2016 (LDS) will need to be revised in order to reflect this modest amount of additional time being added into the Plan preparation process.

4.6 The benefits of extending the period for the preparation of the Local Plan are:

- Ensuring adequate and appropriate time is available to ensure a quality draft Local Plan document is prepared that is as sound and robust as it can be;
- Full opportunity for Executive members as well as other members to be engaged in the preparation of the draft Plan;
- Allowing an appropriate amount of additional time to enable outstanding matters and issues of an external nature to be satisfactorily resolved, such as:
 - The final version of the Housing and Employment Development Needs Assessment (HEDNA) will be completed;

- Outstanding remaining spatial issues linked to the emerging draft Local Plan to be progressed towards a satisfactory conclusion;
- Allowing for the satisfactory completion of a cross Leicester and Leicestershire Housing Market Area (HMA) Memorandum of Understanding (MoU) to be finalised that establishes an understanding between partner Councils across the HMA on how Objectively Assessed Housing needs are to be accommodated across the whole area;
- Allowing necessary time for clarity to be established around the means through which outstanding strategic issues relating to other Local Plans that have recently or are about to be submitted across the Housing Market Area to be established and understood.

4.7 In order to ensure that these benefits to the preparation of the Local Plan are captured it is recommended that the revised proposed Local Plan work programme set out in Table 2 below be approved.

Table 2 – Proposed Local Plan Work Programme Timetable Key Milestones

July 2017 – Council approval of pre-submission Local Plan for publication
November 2017 – Submission of the Local Plan for Public Examination
February 2018 – Examination Hearings
July 2018 – Receipt of Final Inspector’s Report
September 2018 – Adopt the Plan

4.8 The Local Plan work programme that will accompany these key milestones will be regularly monitored and reviewed to ensure time is always used as efficiently and effectively as possible. Should any opportunity arise to prepare the Plan any quicker it will be fully explored and where possible given effect to.

5 Legal Issues

5.1 The Council is required to prepare a Local Development Scheme under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). It must be made publically available and kept up-to-date to ensure that local communities and interested parties can keep track of progress.

6 Resource Issues

6.1 Preparation of the new Local Plan is expected to be undertaken within existing staff resource levels. With the extended period there may be opportunities to reduce the resources currently budgeted for agency planning professionals as the in-house team may be able to absorb some of this work

over a longer time period. Further work is being undertaken to assess the extent of any potential savings.

7 Equality Analysis Implications/Outcomes

7.1 No implications

8. Risk Management Implications

8.1 It should be noted that there are risks associated with extending the period for the preparation of the Plan and these are:

- The length of the Plan period remaining following adoption would be shorter by a modest amount in relation to the recommended post-adoption plan period set out in the National Planning Policy Framework.
- There would be a modestly longer period without an adopted Local Plan in place of seven months. However, the proposed additional time allowed for the Plan would ensure the preparation of an even more robust document.
- There is a reputational risk for the Council in deferring a timetable previously agreed and communicated. Communication, particularly with Parish Councils will be important to ensure the reasons for any deferral and its implications are communicated clearly and understood and accepted by our customers.
- There is always the possibility of changes to Government policy and other external factors of a national or wider scale occurring during the period allowed for preparing the Plan, for example, related to 'Brexit'. These cannot be forecast and could occur anyway even if the existing timetable is retained.
- In the light of ministerial statements there is still the potential for New Homes Bonus and Local Plan making powers to be withheld by Government the longer the Council does not have an adopted Local Plan in place. However, there has been little formal communication regarding these issues.

Officers will work to ensure these and any other risks that arise are robustly managed. The Executive will be kept up to date, as needed, through further reports being brought for their consideration as and when these become necessary.

9 Consultation

9.1 The Chair of the Local Planning Executive Advisory Panel / Planning Portfolio holder has been consulted and supports the proposal.

9.2 Members of the Local Planning Executive Advisory Panel were advised that the Executive will be considering this issue before the publication of the report.

10. Options

10.1 *Retaining the current Local Plan timetable*

This option has been rejected as the delays in receiving the evidence from a number of the external sources detailed above would severely impact on the robustness of the plan.

11. Background Papers

NA

Previous report(s):

Information Issued Under Sensitive Issue Procedure: N

Ward Members Notified: N

Appendices:

A-Proposed Revised Local Plan timetable for inclusion in a revised Local Development Scheme 2016-2018

APPENDIX A

Proposed Local Plan timetable for inclusion in a revised Local Development Scheme 2016-2018

Proposed Local Plan Work Programme Timetable – Key Milestones		
Stages	<i>Current Local Plan Work Programme</i>	<i>Proposed Local Plan Work Programme to be included in a revised LDS (period 2016-2018)</i>
Council Approval of Pre-Submission Local Plan	December 2016	July 2017
Consultation on Publication Pre-Submission Local Plan	January – February 2017	August and September 2017
Submission to Secretary of State	April 2017	November 2017
Examination Hearing	June/July 2017	February 2018
Inspector's Report	November 2017	July 2018
Adoption	December 2017	September 2018