

REPORT TO:	Executive Board
REPORT NO.	HCWD/35/14
DATE:	11 November 2014
LEAD MEMBER:	Councillor Mark Prichard (Governance, Corporate Support, Finance and Planning)
CONTACT OFFICERS:	Nicola Corbishley (Tel: 298751) Linda Sharp (Tel: 298759)
SUBJECT:	Local Development Plan (LDP2) Amended Delivery Agreement October 2014
WARD:	All

1. PURPOSE OF THE REPORT

- 1.2 To approve the amended Delivery Agreement for the new Local Development Plan, LDP2.

2. EXECUTIVE SUMMARY

- 2.1 The Delivery Agreement (DA) includes the timetable for the preparation of the LDP together with a Community Involvement Scheme which identifies who, how and when we will engage with people in the process.
- 2.2 A Delivery Agreement was previously agreed with the Welsh Government (WG) on 24 January 2013 and proposed that a new LDP would be adopted by December 2016. This revised timetable (Appendix 1) proposes that an adopted LDP will be in place by March 2018 (depending on the availability of the Planning Inspectorate, PINS), 15 months behind the originally anticipated adoption date. Further amendments have also been made to the CIS to further clarify stakeholder engagement and reflect corporate equality requirements.
- 2.3 The main reasons for the delay in the timetable have been in the main due to staff shortages within the planning department. Other reasons include delays due to the publication of the Welsh Government household projections, as well as the need to review the entire evidence base from the withdrawn LDP and commission new studies, some of which are being jointly prepared with colleagues in Flintshire.

3 RECOMMENDATION

- 3.1 **That the Executive Board approves the Wrexham Local Development Plan (LDP2) Delivery Agreement for submission to the Welsh Government for agreement.**

REASON FOR RECOMMENDATION

To enable the Council to meet the requirements of the Planning and Compulsory Purchase Act 2004.

4. BACKGROUND INFORMATION

- 4.1. The preparation of the Delivery Agreement is one of the requirements for the Local Development Plan system. The Delivery Agreement comprises a timetable for the preparation of the Wrexham LDP together with a Community Involvement Scheme (CIS) which outlines the Council's policies regarding who, how and when it will engage in the process.
- 4.2 A DA was prepared and agreed for the preparation of LDP2 in January 2013. The original Plan preparation timetable was considered to be realistic and achievable having regard to the scope of work, previous development plan experience, including work on the withdrawn LDP, existing Welsh Government regulations/guidance, and available and committed Council human and financial resources. The reasons surrounding the slippage relate in the main to the loss of staff within the department, something which was identified in the original DA as a high risk to the delivery of the timetable.
- 4.3 The planning policy team here at Wrexham is small in comparison to other teams across North Wales and whilst efficient, it has not been possible to stick to the timetable with only 2 Planning Policy Officers in the team since the former Planning Policy Manager left in April this year. This has now been rectified and we currently have 4 officers in the team, including a new Senior Officer and another Planning Policy Officer for 12 months which we hope to be able to retain over the lifetime of plan preparation (4 FTE staff in total).
- 4.4 Other reasons for the delay to the timetable include delays to the publication of the Welsh Government household projections, a key piece of information which the plan will be based on. These figures were due for release in October 2013 but did not become available until March 2016, a 5 month delay from WG in releasing the data. In addition it has also been necessary to review the entire evidence base from the withdrawn LDP and commission new studies, some of which are being jointly prepared with colleagues in Flintshire.
- 4.5 Legislation requires the preparation of an LDP to go through a number of stages and these are set out in the amended timetable below. These are broad timescales and indicative times has been built in for engaging with the public. It is anticipated that the adoption of the plan will now take place in Spring 2018. The revised DA and CIS is attached in Appendix 1.
- 4.6 As a result of the revised timescales the Council may receive more speculative planning applications, nevertheless the adopted Wrexham Unitary Development

Plan continues to remain the starting point for the consideration of new development proposals. Members will note that the right level of professional expertise is now in place within the Planning Policy team to ensure a robust evidence base is in place to enable the adoption of a sound plan. This will help towards reducing the risks of deviating from the LDP revised Delivery Agreement.

LDP amended timetable

Table 1: Key Plan Preparation Stages

Stage	Local Development Plan Steps	SA/ SEA Steps	Start/completion Dates
A - Definitive Stages			
Revised Delivery Agreement (Regulations 9 and 10)	<ul style="list-style-type: none"> Prepare, amend (if appropriate) and agree/ approve WAG Approval of Delivery Agreement 		October 2014 December 2014
Evidence Base (Regulation 14)	<ul style="list-style-type: none"> Develop and consider the implications of the evidence base (includes Call for Candidate Sites) 		March 2012 Ongoing November 2012 – Feb 2013
Pre-deposit participation (Regulation 14/15) Issues and Options	<ul style="list-style-type: none"> Develop strategic vision and objectives Identify critical issues and alternative strategic growth and spatial options 	<ul style="list-style-type: none"> Set the context and establish the baseline Prepare methodology, objectives and indicators Decide on the Scoping Report 	January – March 2015 <i>(Indicative dates for public consultation February - March)</i>
Pre-deposit public consultation (six weeks) (Regulations 15 and 16) Preferred Strategy	<ul style="list-style-type: none"> Evaluate alternative strategic spatial options Select preferred spatial strategy 	<ul style="list-style-type: none"> Appraise the Plan's strategic alternative options Assess the effects of the Plan Assess policies or proposals that may have significant environmental effects 	May – 2015 - February 2016 (10 mths) <i>(Indicative dates for public consultation October-November)</i>
Deposit Local Development Plan (six weeks) (Regulations 17, 18 and 19)	<ul style="list-style-type: none"> Statutory consultation on the full Plan and related documents to allow for formal representations to be made. 	<ul style="list-style-type: none"> Prepare and publish the Sustainability Appraisal (including the Environmental Report) 	April – Dec 2016- (10 mths)
B. Indicative Stages			
Consultation on submitted new or	<ul style="list-style-type: none"> Evaluate the potential contribution of submitted new or 		January – March 2017 (3 months)

alternative site proposals (six weeks) (Regulations 20 and 21) Alternative Sites Consultation	alternative site proposals (including those requesting the removal of allocations or changes to site boundaries) ▪ Consider representations received and responses thereto		
Submission to Welsh Government for Examination (Regulation 22)	▪ The Council will formally submit the LDP and supporting documentation (including representations) to the Welsh Government.	▪ Amend the Sustainability Appraisal (including the Environmental Report)	June 2017
Independent Examination in Public (Regulation 23) Public Examination	▪ An Inspector will independently Test the "soundness" of the Plan	▪ Prepare and publish a statement of how sustainable development is considered in the Plan	(dependent on Planning Inspectorate)
Publication of Planning Inspector's report (Regulation 24) Inspector's Report	▪ An Inspector will present to the Council his/her report which will be binding on the Council.		(dependent on Planning Inspectorate)
Adoption (Regulation 25)	▪ Making the Plan operational		March 2018
Monitoring (Regulation 37)	▪ The Council will review the Plan and submit annual monitoring reports to Welsh Government.	▪ Monitor the significant environmental effects of the Plan's implementation	Annually

Note these are broad timescales and indicative times have been built in for consultation.

5. CONSULTATION

5.1 Regulations require that Council seek approval from the Welsh Government on any amendments to the agreement. Initial, informal discussions were held with officers of Welsh Government in a meeting on the 16th October 2014 where they have indicated they are broadly happy with the revisions subject to clarification of

approximate consultation times within the overall timetable. This has now been included and is presented in the timetable shown above.

- 5.2 The DA will be considered by the Planning Policy Panel on 6th November 2014. It is anticipated that Members of the Panel will recommend to the Executive Board that the Delivery Agreement be approved and submitted to Welsh Government for formal agreement.
- 5.3 The WG have 4 weeks to formally respond to any changes to the DA, after which the LPA can assume that the timetable is acceptable. There will also need to be consultation with PINS to ensure the availability of Planning Inspectors for the post deposit indicative stages, something which we will do as part of the process of approval.

6. SCRUTINY COMMITTEE COMMENTS

- 6.1 The report has not been considered by a Scrutiny Committee, the planning Policy Panel is a sub group of the Executive Board, set up specifically for the LDP and is due to meet on the 6th November. Comments of the Panel will be reported at Executive Board.

7. IMPLICATIONS

- 7.1 **Policy:** The timetable to be included in the Delivery Agreement will allow sufficient time for proper consideration of LDP and representations made on it. This will help ensure that the Plan will be consistent with the Local Service Board plan which replaced the Community Strategy and sets out its interrelated priorities for the period up to 2024 as follows:

1. Making Wrexham a place where people can live independently and are healthy and active;
2. Making Wrexham a place with a strong, resilient and responsible economy; and
3. Making Wrexham a place that's safe and where everyone feels included.

Once adopted, the LDP will replace the existing UDP as the statutory land use plan for the County.

- 7.2 **Budget.** The Council has previously committed funds in a specific reserve to undertake the preparation of LDP2. The fund currently stands at approximately £290,000. With judicious use of in-house resources it is estimated that LDP2 can be delivered within the budget but much depends on charges outside the Council's control, in particular the Planning Inspectorate's costs. Additional funds may need to be allocated as and when required over the 3 year plan preparation timetable.
- 7.3 **Legal:** None. The new Delivery Agreement accords with the statutory requirements.
- 7.4 **Staffing:** This proposal is based on existing staffing levels.
- 7.5 **Equalities:** An Equalities Impact Assessment (report no CWD/EIA/00020/2014) has been completed for the engagement strategy identified in the DA which will be reviewed as we go through each stage of consultation. At the moment it concludes An Equalities Impact Assessment (report no CWD/EIA/00020/2014) has been

competed for the engagement strategy identified in the DA which will be reviewed as we go through each stage of consultation. The assessment concludes that there will be positive impacts on all groups with protected characteristics as a result of the LDP consultation strategy as it allows opportunities for engagement at each stage of the LDP process. The findings of the impact assessment will also help to inform the statutory requirement to prepare and submit to the WG and PINS a consultation report and a final consultation report at deposit and submission stages, a formal requirement of the LDP process.

8. EVALUATION OF OPTIONS

8.1 It is a legal requirement to prepare a development plan and keep it up to date.

[illegible]