

NORTH LINCOLNSHIRE COUNCIL

COUNCIL

THE LOCAL DEVELOPMENT FRAMEWORK

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To advise members on progress on the Local Development Framework and the anticipated timeframe for later stages. (LDF).
- 1.2 To consider constitutional changes to assist in expediting progress on the LDF.

2. BACKGROUND INFORMATION

- 2.1. The LDF will be a “folder” of documents that will replace the current Local Plan. It will consist of a Core Strategy and a number of Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) along with a Statement of Community Involvement (SCI) and a Local Development Scheme (LDS) which sets out a timetable for the production of the DPDs and SPDs.
- 2.2 The production of the LDF and its constituent documents has to be informed by an “evidence base”. Planning Policy Statement 12 – Local Spatial Planning (PPS12) requires that decisions should be founded on a robust and credible evidence base and must be the most appropriate strategy when considered against the reasonable alternatives. It further requires that the evidence base should contain two elements (i) participation – evidence of the views of the local community and others who have a stake in the future of the area, and (ii) research/fact finding – evidence that the choices made by the plan are backed up by the background facts.
- 2.3 The relevant regulations under the Local Government Act 2000 set out a number of documents that form the Policy Framework. Only the full council may approve or adopt those documents. Included in the Policy Framework are “The Plans and Strategies which together comprise the Development Plan”. This now means the LDF.

2.4 Forthcoming decisions required on LDF Documents

Outlined below are the LDF documents which will need to be considered shortly. These dates are approximate and may be subject to change

- **Core Strategy (Publication stage) November 2009:** The report will seek endorsement of the Publication version of the Core Strategy (including Sustainability Appraisal/Strategic Environmental Assessment/Appropriate Assessment) for the final period of public consultation before submission to the Secretary of State.
- **Local Development Scheme (LDS) November 2009:** The report will seek members approval to adopt the amended LDS as the timetable for delivering LDF documents and for it to be sent to Government Office for Yorkshire and Humber as the agreed timetable.
- **Housing & Employment Land Allocations DPD (Pre-submission second Stage consultation):** To report back the findings of the consultation prior to preparation of the publication version of the DPD.
- **Core Strategy (Submission to the Secretary of State) February 2010:** The report will seek endorsement for the Core Strategy (plus associated documentation) to be submitted to the Secretary of State prior to independent examination by an Inspector appointed by the Planning Inspectorate.
- **Lincolnshire Lakes Area Action Plan (AAP) (Pre-submission First Stage consultation) January 2010:** The report will seek approval to undertake the first round of public consultation on the AAP and Scoping Report.
- **Housing & Employment Land Allocations DPD (Publication Stage) August/September 2010:** The report will seek endorsement of the Publication version of the DPD for the final period of public consultation before submission to the Secretary of State.
- **Minerals & Waste DPD (Pre-submission First Stage consultation) July/August 2010:** The report will seek approval to undertake the first round of public consultation on the DPD and Scoping Report.
- **Lincolnshire Lakes AAP (Pre-submission second Stage consultation) September/October 2010:** The report will seek approval to undertake the second round of public consultation on the AAP.
- **Core Strategy (Receipt of Inspectors Report) October 2010:** The report will inform elected members of the receipt of the Inspectors Report and inform them of the findings of this binding document.
- **Core Strategy (Adoption) January 2011:** The report will seek elected members approval to adopt the Core Strategy subject to the findings of the Inspectors Report.
- **Housing & Employment Land Allocations DPD (Submission to the Secretary of State) January 2011:** The report will seek endorsement for the DPD to be submitted to the Secretary of State prior to independent examination by an Inspector appointed by the Planning Inspectorate.

- 2.5 Currently the Planning Committee has advisory powers in relation to “Structure and Local Plans”. These plans are now replaced by the LDF. The committee considers reports on these issues and makes recommendations to council. However it may be considered more appropriate for these to be considered by all members of the council especially as the LDF is intended to constitute a strategic vision for the area and not to be, as local plans were, simply concerned with land use planning issues.
- 2.6 In addition to the formal LDF documents that require adoption by the council, the production and maintenance of the evidence base will require the commissioning of a large number of research/fact finding documents and consultation exercises. It is not considered practical or necessary for all these to be considered by full council.

3. OPTIONS FOR CONSIDERATION

- 3.1 It may be appropriate for reports relating to LDF documents such as those referred to above to be considered by the full council. This would arguably comply better with the spirit as well as the letter of the relevant regulations. In order to allow for a proper discussion on the major documents it may be advisable to hold special meetings and to suspend the relevant Procedure Rules.
- 3.2 In order to facilitate 3.1 it would be necessary to amend Planning Committee’s Terms of Reference by deleting the reference to Structure and Local Plans and also to revoke Minute 1672 (d) of the council proceedings of 21 January 2009 which referred to the involvement of Planning Committee.
- 3.3 There is currently no formal mechanism in place to commission fact-finding documents that will together form the evidence base. Whilst these are essentially factual documents that inform the LDF process rather than LDF documents in themselves, the council does have to have regard to them in considering the LDF documents. The number of the evidence based documents and the timescales involved would make it difficult to have them considered by full council or even Planning Committee. It is suggested that authority to commission them could be delegated to the Chief Executive in consultation with the Leader.

4. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 4.1 There could be some resource implications in relation to the holding of Special Meetings of Council

5. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

- 5.1 Changes to the council's Constitution must be approved by the council in accordance with the Local Government Act 2000. It is considered that these proposed changes will enable the council to more efficiently comply with statutory requirements in relation to the production of the LDF.

6. OUTCOMES OF CONSULTATION

6.1 The Head of Strategic Regeneration, Housing and Development and the Chief Executive have been consulted on the proposed changes and support them.

7. RECOMMENDATION

7.1 To consider authorising the changes set out in Appendix 1 and Appendix 2 and revoking the Council Minute 1672 (d) of 21 January 2009.

REPORT OF THE SERVICE DIRECTOR LEGAL AND DEMOCRATIC

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Background papers used in the preparation of this report - The Council's Constitution.

Appendix 1

Remove the words “including Structure and Local Plans” from the Advisory Powers (a) contained in the Terms of Reference of Planning Committee

Appendix 2

Add the following to the list of delegations to the Chief Executive

(3) In consultation with the Leader, to commission and accept Fact Finding and Research Documents and Consultations to form part of the Evidence Base in relation to the Local Development Framework.