

REPORT TO THE COUNCIL

Report No.10

Date of Meeting	5/12/2006
Title of Report	A Local Development Scheme for North Wiltshire – Second Revision 2007 - 2010
Link to Corporate Priorities	The production of the Local Development Scheme and all related priorities dependant upon spatial planning policies.
Public Report	YES

Summary of Report

The Local Development Scheme is a mandatory requirement of all Planning Authorities who prepare Local Development Framework documents. It sets out a three year programme for the delivery of those documents. It is a requirement that this Scheme be approved by the Secretary of State. The submission of a Local Development Scheme is a function of Council.

There have been a number of decisions taken at national level since the last occasion that Council considered the matter which have had implications on the content and delivery of the Local Development Framework for us and for many other local planning authorities.

In addition, the recent publication of the Draft Regional Spatial Strategy and the work that is currently underway in preparation for the Examination in Public of that document in Spring 2007 is more apparent than when the issue was last placed before Council. The Programme has been revised as a result and a new Local Development Scheme for 2007 – 2010 is attached as Appendix A. This will, if approved by Council, be submitted to the Secretary of State for formal approval by the end of the year.

The Spatial Planning Advisory Group, met on the 14th of November. In general the meeting supported the revised LDS, though there were dissenting views expressed. These views were to the effect that there should be no delay to producing the Core Strategy and the Allocations DPD. It was considered that that there will otherwise be a shortage of developable housing land in the near future. The Spatial Planning Team Leader has considered this view and concludes that this is a manageable risk through close monitoring of housing completions over the next few years.

The new programme will require a commitment to additional funding in 2007-08, 2008-09 and 2009-10. This should be considered, along with all other requests for addition resources, in the 2007-10 budget process. The Recommendation is therefore contingent upon the approval of funding.

Officer Recommendations -

Please see overleaf

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.

Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
YES	YES	YES	YES	YES
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Officer Recommendations

- 1. That the Council approve the Second Revised Local Development Scheme 2007 – 2010 as attached in Appendix A for submission to the Secretary of State, contingent upon funding;**

or,

- 2. That the Council approve the Second Revised Local Development Scheme 2007 - 2010 as attached in Appendix A, as amended by this Council for reasons to be stated, for submission to the Secretary of State, contingent upon funding;**

1. Introduction

1.1 The Local Development Scheme is a mandatory requirement of all Planning Authorities who prepare Local Development Framework documents. It sets out a three year programme for the delivery of those documents. It is a requirement that this Scheme be approved by the Secretary of State.

1.2 This Council considered the First Revised Local Development Scheme on the 25th of April 2006. This was subsequently approved by the Secretary of State in July 2006.

1.3 Since then these important issues have emerged:

- Two Local Planning Authorities elsewhere in the UK recently received a decision from the Secretary of State on their Core Strategies. They were rejected as being "unsound" according to the new planning policy tests.
- In response, central government issued a letter outlining what it sees as the consequences for other Councils' Core Strategies.
- The Draft Regional Spatial Strategy is due for its Examination in Public in the Spring of 2007. However, the Secretary of State has asked the South West Regional Assembly to consider the implications for a substantial change in required numbers for Housing in the South West. This increases the uncertainty for the production of Local Development Frameworks across the south-west.

1.4 The following broad changes are therefore incorporated into the Second Revised Local Development Scheme.

(i) To combine the Core Strategy with much of the work that had been intended for the Housing and Employment Development Plan Document. This will cause a delay to the Core Strategy programme by one year as we undertake further consultation on the new material thus added to the Core Strategy.

(ii) There is a need in consequence to prepare a new Allocations DPD. Therefore, there would be no requirement for the Chippenham and Main Towns and Rural Areas DPDs, which is deleted from the programme.

(iii) The West Swindon and Bowood Estate Area Action Plans will be unaffected.

(iv) There is a need to bring forward further research to provide a robust evidence base to our Core Strategy policies. In the immediate future, this will require a new Chippenham Transport Study, a new Housing Land Assessment Study and an update to the Retail Study. Other research work is being considered.

(v) We will need to include sufficient detail AND prepare realistic options that will allow the Core Strategy, through public consultation, to determine where development will go, how much is required and when it will be provided in much greater detail that had been originally envisaged.

1.5 The Local Development Scheme as set out in Appendix A incorporates these suggested amendments.

1.6 Once approved by this Council, it will be sent by the end of December to the Secretary of State for his consideration and approval. From previous experience, this is expected to occur in March 2007.

2. Options and Options Appraisal

2.1 Option 1: To continue with the present First Local Development Scheme 2006 – 2009 both in terms of content and in time-tabling.

2.2 Some LDF targets have already been missed. This option will result in this Council not achieving the remaining landmark decision dates set out in that LDS. This will have consequences in respect of this Council's ability to present a sound Local Development Framework to the Secretary of State for approval.

2.2 Option 2: As option 1 but to change only the timetable rather than the content of the Local Development Framework.

2.3 This will create uncertainty in the deliverability of the Council's Core Strategy as central government advice suggests that the content will no longer be seen as capable of producing sound policies.

3. Background Information

3.1 Appendix A contains the text of the Local Development Scheme itself which includes comprehensive background information.

4. Implications

Financial

- The new programme will require a commitment to additional funding in 2007-08, 2008-09 and 2009-10. This should be considered, along with all other requests for additional resources, in the 2007-10 budget process. The Recommendation is therefore contingent upon the approval of funding.
- Detailed estimates are difficult to make, as the costs of the programmed four Examinations are unknown, for there is little experience of this new system across the Country. However, the best estimates presently available suggest that there is a shortfall in funding of £13,000, £141,000, and £74,000 over the three years, as follows:

	2007-08	2008-09	2009-10
R&D internal and external	47,000	57,000	47,000
Statutory Advertising & publication	6,000	12,000	30,000
Consultation	10,000	10,000	10,000
Examination costs	<u>50,000</u>	<u>125,000</u>	<u>50,000</u>
Sub total	113,000	204,000	137,000
Less PDG brought forward	37,000-		
Less Base Budget	<u>63,000-</u>	<u>63,000-</u>	<u>63,000-</u>
Total additional cost	<u>13,000</u>	<u>141,000</u>	<u>74,000</u>

- The Second Revised Local Development Scheme is a reduced programme from the First LDS overall, though more costs are loaded into the earlier years.
- There will be a continuing programme of Local Development Framework production in the period beyond 2010 for the foreseeable future.
- Some funding has been obtained from the Planning Delivery

Grant from previous years, to be used in 2007-08; some may be available in the future through imminent central government announcements and some partnership funding has been obtained from LDF stakeholders and partners in the form of work undertaken.

Legal

- The submission of an up-to-date Local Development Scheme is a requirement of the Planning and Compulsory Purchase Act 2004

Community & Environmental

- This underpins the development of the Local Development Framework.
- The LDF has been developed taking the community strategy into account.
- The LDF has been developed taking the Local Strategic Partnership work into account.
- Policies arising from the LDS programme will influence initiatives in respect of crime and disorder.
- Policies arising from the LDS programme will influence initiatives in partnership working
- Policies arising from the LDS programme will influence initiatives in rural areas.
- Documents arising from the LDS programme will be subject to the Statement of Community Involvement and thus determine the consultation with the community

Human Resources

- There is an estimated shortage of two FTE posts for delivering the Local Development Framework.
- In the absence of additional resources for the above, this is being managed through the use of temporary posts/ secondments and through the use of external consultants.
- New staff workplans will be required to adjust to the new LDS programme.

Equality & Diversity Implications

- Age – none, though policy development will impact indirectly.
- Gender – none, though policy development will impact indirectly.
- Disability – none, though policy development will impact indirectly.
- ethnicity/culture, though policy development will impact indirectly.
- religion/belief - none
- sexual orientation – none

A detailed Equality Impact Assessment can be found on the Council's website:

http://www.northwilts.gov.uk/production_of_local_plan_and_local_development_framework_32kb.pdf

Risk Analysis

Issue	Risk	Impact Scale 1 - 4	Likelihood Scale 1 - 4	Impact x Likelihood (The current level of risk).	Current Ranking (High, Medium, Low)	Proposed Action to Reduce the Risk
No additional money as identified is budgeted in years 2007 - 2010	Inability to fulfill BVPI200 targets, PSA6 target and possible impact on future funding in replacement to PDG.	4	3	12	High	On advice of GoSW the LDS will have to be submitted <u>before</u> the 2007 budget is fixed. This LDS will then become the benchmark for the future. It is recommended that Council take this into account in setting the budget.
Change in political control	Change in priorities	4	2	8	Medium	New LDS submission in 2007 if required
Financial resources	Insufficient funds to complete LDF	3	3	9	Medium	New LDS submission in 2007 if required
Poor recruitment	Insufficient staff to complete LDF	4	3	12	High	Use of consultants, changed working practices
Divergence from government policy or advice	May have (as is already the case) have implications on the content of LDFs	4	3	12	High	New LDS submission in 2007 if required.
General operational risks	Staffing issues, budget issues, delivery by partnerships	2	2	4	Low	Handled through the Spatial Planning Service Plan for 2007 - 2010

Appendices:	<ul style="list-style-type: none"> Appendix A: A Local Development Scheme for North Wiltshire – Second Revision 2007 - 2010
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none"> http://www.northwilts.gov.uk/letter to chief planning officers on first two examination .pdf http://www.northwilts.gov.uk/production of local plan and local development framework 32kb.pdf

Previous Decisions Connected with this Report

Report	Committee & Date	Minute Reference
NONE		