

Committee: **Place Scrutiny Committee**

Date of meeting: **13th December 2022**

Report Subject: **Revised LDP Delivery Agreement Timetable**

Portfolio Holder: **Cllr John Morgan – Cabinet Member Place and Regeneration**

Report Submitted by: **John Raine – Development Plans Team Manager**

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance and Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
08/11/2022	10/11/2022	07.12.22			13/12/2022		26/01/2023	

1. Purpose of the Report

- 1.1 The purpose of this report is to seek Council approval for a revised Delivery Agreement (DA) timetable for preparing the Replacement Local Development Plan (RLDP).

2. Scope and Background

- 2.1 The Blaenau Gwent Local Development Plan (LDP) (2006-2021) was adopted in November 2012. To ensure the Plan is up to date, the Council was required by Welsh Government regulations to undertake a full review of the LDP at the end of 2016. Accordingly, a review of our LDP was undertaken which culminated in the LDP Review Report. Council considered the report on the 27th September 2017, agreeing to review the LDP through the full revision process.
- 2.2 As a result of Welsh Government requesting all councils to consider joint working and preparation of a Strategic Development Plan the Delivery Agreement for the RLDP was not approved by Council until the 6th September 2018. The Delivery Agreement was then submitted to Welsh Government who later approved it on the 19th September 2018.
- 2.3 Progress on the Plan commenced in line with the Delivery Agreement timetable. Pre-participation events were held with Members and stakeholders to agree the issues, vision and strategy for the Plan culminating in the preparation of the Preferred Strategy. The Preferred Strategy was subsequently agreed by Scrutiny on the 4th of November 2019 and Council on the 12th of December 2019. The Pre-Deposit (Preferred Strategy) Public Consultation commenced on the 16th January 2020 and ran for 6 weeks to the 27th of February 2020. A report on the comments received and changes to be made will be presented to Scrutiny and Council as part of the next stage of the plan making process which includes approval of the Draft Deposit Plan for public consultation purposes.

- 2.4 The Development Plans team was preparing to commence the Second Call for Candidate Sites and further site information when the Covid-19 pandemic hit in March 2020. On advice from Welsh Government, public consultations were put on hold to take account of the legal implications of undertaking public engagement during times of Covid-19 restrictions. Welsh Government guidance also required the Council to review the impact of the pandemic on the evidence gathering and plan preparation given the social and economic effects. This resulted in preparation of a revised DA timetable that was reported and approved by full Council on 24th September 2020.
- 2.5 Following this, work on the Plan proceeded in terms of developing the evidence base and considering the representations received during the Pre-Deposit (Preferred Strategy) public consultation and subsequent Second Call for Candidate Sites. Since approval of the revised Delivery Agreement there have been a number unforeseen delays related to sickness, retirement and recruitment that mean an updated Delivery Agreement timetable is now required. This review takes account of those delays and the outstanding evidence base work required to prepare the Deposit Plan. As part of the review officers have met with Welsh Government officials to seek their agreement on the approach and revised timescales.
- 2.6 This report is therefore seeking approval of the revised Delivery Agreement (January 2023) shown at Appendix 1. The revised timetable is summarised below.

Revised Delivery Agreement Timetable

- 2.7 The Revised DA timetable sets out that the Deposit Plan consultation will commence in Summer 2023 with an 8-week statutory public consultation provisionally taking place in July-August-September. The Development Plans team will analyse the consultation responses and prepare the Consultation Report by April 2024. Following approval by full Council, the Replacement LDP would then be submitted to Welsh Government for the independent 'Examination in Public' to commence. The submission of the Plan for Examination is scheduled for May/June 2024. Formal adoption of the Plan is then scheduled for Early 2025, following receipt of the Inspector's report.
- 2.8 The Key Milestones for the Replacement LDP, including those achieved to date, are set out in the below:

Stage	Timescale	
Definitive	From	To
<i>Replacement LDP</i>	<i>May 2018</i>	<i>October 2018</i>
<i>Delivery Agreement</i>	<i>Council consideration October Submission to WG October</i>	
<i>Pre-Deposit</i>	<i>October 2018</i>	<i>October 2019</i>
<i>Participation</i>	<i>Update evidence base Hold participation events Prepare Reports Prepare Preferred Strategy</i>	

	<i>Political reporting on Preferred Strategy</i>	
<i>Pre-Deposit Public Consultation</i>	<i>November 2019</i>	<i>May 2021</i>
	<i>Consultation on Preferred Strategy – 6-week consultation Second Call for Candidate Sites and further site assessment information</i>	
<i>Pre-Deposit Public Consultation following Reviewed DA</i>	<i>May 2021</i>	<i>June 2023</i>
	<i>Prepare Report of Consultation Review and finalise evidence base Prepare Deposit Plan Political reporting of Draft Deposit Plan</i>	
<i>Statutory Deposit of Proposals</i>	<i>July 2023</i>	<i>April 2024</i>
	<i>Consultation on Deposit Plan – 8 weeks Prepare responses to comments (including preparation of further evidence where necessary) Political reporting of responses</i>	
Indicative		
Submission of LDP for Examination	May/June 2024	
Examination in Public	Summer 2024	
Publication of Inspectors Report	Winter 2024	
Adoption of Replacement LDP	Early 2025	

3. Options for Recommendation

3.1 **Option 1:** Support the Revised Delivery Agreement and timetable for the preparation of the Replacement LDP.

Option 2: Support the Revised Delivery Agreement and timetable subject to amendments.

3.2 The Preferred option is Option 1 – for Members to support the Revised Delivery Agreement. This is to ensure that the statutory requirement to have an up-to-date Local Development Plan is met.

3.3 Option 2 would enable members to suggest amendments to the Delivery Agreement.

4. Evidence how does this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / BG Well-being Plan

4.1 The Replacement LDP will support delivery of the Council's four priorities set out in the Corporate Plan (2022-27) as these are intrinsically linked to land use planning. The RLDP will update local planning policies and will help deliver the Council's regeneration and growth objectives. The Plan will ensure that there is sufficient provision made for future housing and employment needs as well as including policies for environmental protection

and climate change mitigation. The Community Involvement Scheme of the Delivery Agreement also addresses the Council's Vision and Core Values of respect, inclusive, collaborative, accountable and supportive.

- 4.3 The RLDP will also deliver the land use requirements of the Blaenau Gwent Well-being Plan. The RLDP will influence how communities develop over the plan period to 2033 and will address the following Well-being objectives:
- The best start in life for everyone
 - Safe and friendly communities
 - To look after and protect the environment
 - To forge new pathways to prosperity
 - To encourage and enable people to make healthy lifestyle choices in the places that they live, learn, work and play.
- 4.4 There is a statutory responsibility in primary legislation (Planning Act 2015) for the local planning authorities to prepare a development plan within the framework set by national policy in Planning Policy Wales.

5. **Implications Against Each Option**

5.1 ***Impact on Budget (short and long term impact)***

5.2 *Option 1: Support the Revised Delivery Agreement and timetable for the preparation of the Replacement LDP.*

There are no additional costs as a result of this report. The cost of producing the Replacement LDP will be met through existing annual budgets and reserves identified for the Development Plans team. The remaining reserve for the Replacement LDP (£143,000) will be utilised by the anticipated adoption date in early 2025.

5.3 *Option 2: Support the Revised Delivery Agreement and timetable subject to amendments.*

Assuming any proposed changes would not have a significant financial cost the impact on budget would remain the same as above.

5.4 ***Risk including Mitigating Actions***

In relation to Option 1, the Delivery Agreement contains a Risk Assessment that identifies potential risks and mitigating actions in relation to the preparation of the Replacement Local Development Plan (at Appendix 3 of the document). There is a risk of delay if Welsh Government does not agree the extension identified in the revised Delivery Agreement. However, we have minimised the delay as far as is possible given the limited capacity of the team and officers have sought the views of Welsh Government in preparing the revised timetable. In relation to Option 2, it is unlikely that revisions will significantly change the risks set out in the Delivery Agreement.

5.5 ***Legal***

There is a statutory requirement to prepare a Local Development Plan, regulations to follow, soundness tests to meet and guidance on how a Plan should be prepared. These requirements are reflected in the content of the RLDP Delivery Agreement.

5.6 ***Human Resources***

The Replacement LDP will be prepared by the Development Plans team which consists of the Development Plans Team Manager, Development Plans Team Leader and Planning Policy Assistant. Support from other teams and service areas of the Council will be necessary to prepare the Replacement LDP. The Council recognises that additional professional specialist services will also be required to establish a robust evidence base to inform the Plan.

6. ***Supporting Evidence***

6.1 ***Performance Information and Data***

Welsh Government measures the success of planning policy teams using the following criteria:

- Is there an adopted development plan in place that is within the plan period?;
- Deviation from the dates specified in the original Delivery Agreement in months;
- Annual Monitoring Reports produced annually;
- Time between triggering Regulation 41 and submission of a Delivery Agreement to review the plan, in months;
- Local Development Plan (LDP) revision deviation from dates specified in the original Delivery Agreement, in months;
- Current housing land supply (5-year requirement).

While annual performance reports have not been published regularly by Welsh Government since 2020, performance against the criteria is mixed. On the positive side there remains an LDP in place, although the adopted LDP is now beyond the original plan period that ran until 2021. We also regularly submit our LDP Annual Monitoring Reports. On the other hand, it took longer than a year to submit our original Delivery Agreement after triggering the review of the adopted LDP. This was delayed due to requests from Welsh Government to consider proposals for joint plan preparation and joint working. While early preparation on the Pre-Deposit (Preferred Strategy) remained within the timetable and slippage allowance, delays resulting from the Covid-19 pandemic, and more recently retirement, recruitment and sickness, have required revised timetables. In terms of housing delivery, this is now measured against the adopted LDP housing requirement rather than housing land supply in years. This compares housing completions against the Average Annual Requirement of the adopted LDP (233 dwellings per annum). The adopted LDP consistently under delivered against this target during the Plan period. The Replacement

LDP seeks to address this through reviewed site allocations, updated evidence and growth objectives.

6.2 ***Expected Outcome for the Public***

The Delivery Agreement sets how, when and where the public can expect to be involved in the preparation of the replacement LDP. The Plan will provide clear guidance on what developments will happen in the Borough over the 15-year plan period. The Plan is about ensuring people: live in decent homes; in clean safe neighbourhoods; with access to parks, countryside and other public spaces. It is also about securing enough sites for industry, offices, shops, community facilities, sports and leisure, to make sure there are enough job opportunities to help create a better Blaenau Gwent. Adoption of the Replacement LDP will enable regeneration objectives and future growth needs to be address.

6.3 ***Involvement (consultation, engagement, participation)***

Involvement is a key element of the Delivery Agreement. Part 3 of the document sets out the Community Involvement Scheme. This includes the Council's approach, who we will involve, how we will involve people, and what we expect from them. It also sets out the purpose, when, who, how and the reporting mechanism for each stage of plan preparation.

6.4 ***Thinking for the Long term (forward planning)***

The Delivery Agreement is only concerned with the period of Plan preparation. However, the Local Development Plan is all about forward planning and long term thinking for the development of Blaenau Gwent. The Plan covers the 15-year plan period 2018-2033.

6.5 ***Preventative focus***

The LDP Delivery Agreement is a project management tool that seeks to prevent delays in preparing the Plan and represents an agreement between the Council and Welsh Government. Preparation of the Replacement Local Development Plan seeks to prevent inappropriate development. This can vary from poor design to stopping development in flood risk areas or areas required for other uses. The Plan is also subject to a Sustainability Appraisal which will assess the impact of the Plan on the environment, society and economy and will seek to minimise negative impacts.

6.6 ***Collaboration / partnership working***

Much of the work on the evidence base has been undertaken on a regional basis with the South East Wales Strategic Planning Group and Torfaen and Monmouthshire who were progressing plans along the same timeline as us (where savings can be made). This is to secure efficiencies and a consistently of approach as far as possible. Opportunities for joint evidence gathering will continue to maximised. Adjoining local authorities are, however, currently reviewing their Replacement LDP Delivery Agreements and they are now likely to be preparing their plans along different timescales.

6.7 **Integration (across service areas)**

The Local Development Plan will need to include the land use requirements of all service areas across the Council and other public service area requirements. It will require input from colleagues in housing, economic development, highways, ecology, education, environmental health, leisure and estates.

6.8 **Decarbonisation and Reducing Carbon Emissions**

The Replacement LDP Preferred Strategy sets out a number of objectives for the Plan. This includes LDP Objective 4 on Climate Change, which is:

“To minimise climate change impacts through reduced emissions of greenhouse gases in both new and existing developments, and to adapt to climate change through considerations of its effects through the design and location of new developments This can be achieved by:

- *Maximising the use of previously developed land;*
- *Promoting the re-use and restoration of derelict land and buildings; Focussing development away from areas vulnerable to flooding;*
- *Increasing the supply of renewable energy;*
- *Encouraging balanced job and population growth to reduce out commuting;*
- *Provision of broadband connectivity to reduce the need to travel;*
- *Provision of ultra-low emission vehicle charging infrastructure to reduce emissions and improve air quality; and,*
- *Provision of quality green infrastructure”.*

The Replacement LDP will also be informed by an updated Renewable Energy Assessment and will include local planning policies to promote low and zero carbon energy e.g. through local areas of search.

6.9 **Integrated Impact Assessment**

Integrated Impact Assessment Screening found that there were no impacts of ‘high’ significance that required further assessment. An initial integrated sustainability appraisal of the Preferred Strategy has been undertaken and an integrated sustainability appraisal will be undertaken for the deposit plan. This incorporates an equalities impact assessment.

7. **Monitoring Arrangements**

7.1 The Preparation of the Plan will be monitored through the Annual Performance Report on Planning and through the Business Planning reporting process. Once the Plan is adopted it will be monitored through the LDP Annual Monitoring Report (AMR).

Background Documents / Electronic Links

Appendix 1: Revised Delivery Agreement