

Committee: **Council**

Date of Meeting: **18th July, 2024**

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

Portfolio Holder: **Councillor John C. Morgan – Cabinet Member Place & Regeneration and Economic Development**

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

Reporting Pathway								
Directorate Management Team	Corporate Leadership Team	Portfolio Holder / Chair	Governance Audit Committee	Democratic Services Committee	Scrutiny Committee	Cabinet	Council	Other (please state)
28/05/24	30/05/24				18/06/24		18/07/24	

1. Purpose of the Report

- 1.1 The purpose of this report is to seek Council approval for the updated 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 regulation to undertake a review of the LDP at the end of 2016. This culminated in the publication of the LDP Review Report that was considered by Council on the 27th September 2017. This recommended the Council undertake a full review of the LDP and commence preparation of a Replacement LDP, including agreeing a Delivery Agreement with Welsh Government for the preparation of the RLDP. The recommendation was accepted.
- 2.2 Following a Welsh Government request for all Council's to consider joint working arrangements, the RLDP Delivery Agreement was approved by Council on the 6th September 2018. The DA was then submitted to Welsh Government who approved it on the 19th September 2018, formally commencing the RLDP preparation process.
- 2.3 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 Pre-Deposit Preferred Strategy. This document sets out the strategic issues, preferred spatial strategy and level of growth for the plan period. Following approval at Council on 12th December 2019, the Council undertook Public Consultation on the Preferred Strategy from the 16th January 2020 to the 27th 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 Deposit Plan for public consultation.

- 2.4 The Development Plans team were 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 restrictions. Welsh Government guidance also required the Council to review the impact of the pandemic on evidence gathering and plan preparation. This resulted in a revised DA timetable that was prepared approved by full Council on 24th September 2020.
- 2.5 Work on the Plan proceeded in terms of developing the evidence base and considering the representations received during the Preferred Strategy public consultation and Second Call for Candidate Sites. Subsequent delays incurred due to sickness, retirement and recruitment resulted in the need for a revised Delivery Agreement timetable that was approved by Council on 26th January 2023.
- 2.6 Work has continued on the preparation of the RLDP. However there have been delays in finalising the evidence to inform the Replacement Deposit Plan. This has included the need for a new Local Housing Market Assessment, Regional Growth Study, and updated strategic site master planning.
- 2.7 This updated timetable takes account of those delays and the work required to finalise the Replacement Deposit Plan. As part of the timetable review, officers consulted with Welsh Government officials on the revised timescales and approach to seek their agreement. This report therefore seeks approval of the revised Delivery Agreement (July 2024) as shown at Appendix 1. The revised timetable is summarised in the following section.

Revised Delivery Agreement Timetable

- 2.8 The Revised DA timetable sets out that the Deposit Plan consultation will commence in early 2025 with the 8-week statutory public consultation provisionally taking place in February-March-April 2025. The Development Plans team will analyse the consultation responses and prepare the Consultation Report by December 2025. Following approval by full Council, the Replacement LDP would be submitted to Welsh Government in January 2026 for the independent 'Examination in Public' to commence in February 2026. Formal adoption of the Plan is then scheduled for Autumn 2026, following receipt of the Inspector's report.
- 2.9 The Key Milestones for the Replacement LDP, including those achieved to date, are set out in the table below.

Stage	Timescale	
Completed Stages	From	To
<i>Replacement LDP Delivery Agreement</i>	<i>May 2018</i>	<i>October 2018</i>
	<i>Council consideration October Submission to WG October</i>	
<i>Pre-Deposit Participation</i>	<i>October 2018</i>	<i>October 2019</i>
	<i>Update evidence base Hold participation events Prepare Reports Prepare Preferred Strategy 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>	
Next Stages	From	To
<i>Pre-Deposit Public Consultation following Reviewed DA</i>	<i>May 2021</i>	<i>January 2025</i>
	<i>Prepare Report of Consultation Review and finalise evidence base Prepare Replacement Deposit Plan Political reporting of Draft Deposit Plan</i>	
<i>Statutory Deposit of Proposals</i>	<i>February 2025</i>	<i>December 2025</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	January 2026	
Examination in Public	Early 2026	
Publication of Inspectors Report	Summer 2026	
Adoption of Replacement LDP	Autumn 2026	

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 set out in this report. 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 necessary amendments to the Delivery Agreement.
- 3.4 This report has been considered by Regeneration and Community Services DLT and CLT who approved the report on 28th May 2024 and 30th May 2024 respectively. The Place Scrutiny Committee subsequently considered the report on 18th June 2024 and endorsed Option 1.
4. **Evidence of how this topic supports the achievement of the Corporate Plan / Statutory Responsibilities / Blaenau Gwent Well-being Plan**

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.

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.

There is a statutory responsibility in primary legislation (Planning Act 2015) for all 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)***

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 the utilisation of the Replacement LDP reserve which was established for the purpose. The balance on the Replacement LDP reserve (£143,000) will be fully utilised by the anticipated adoption date in Autumn 2026.

5.2 ***Risk including Mitigating Actions***

The Delivery Agreement contains a Risk Assessment that identifies potential risks and mitigating actions in relation to the preparation of the Replacement LDP (Appendix 3 of the document). Officers have sought to minimise the risk

of delay as far as is possible given the capacity of the team. While work is yet to formally commence on a regional level Strategic Development Plan (SDP), there is a risk that the RLDP will need amendment to align with an emerging SDP. This will be mitigated through involvement in regional working.

There is also a risk of delay if Welsh Government does not agree the extension identified in the revised Delivery Agreement, however, officers have sought the views of Welsh Government in preparing the revised timetable to minimise this. In relation to Option 2, it is unlikely that revisions will significantly change the risks set out in the Delivery Agreement.

5.3 ***Legal***

There is a statutory requirement to prepare a Local Development Plan. The plan will also be required to meet “soundness” tests and government guidance on how a Plan should be prepared. These requirements are reflected in the content of the RLDP Delivery Agreement.

5.4 ***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 and critical to prepare the Replacement LDP. Professional specialist services will also be required to establish a robust evidence base to inform the Plan.

5.5 ***Health and Safety***

There are no significant Health and Safety implications arising from the approval of the revised Delivery Agreement timetable. The Health and Safety of Deposit Plan public consultation events will be undertaken in line with relevant government guidance.

6. **Supporting Evidence**

6.1 ***Performance Information and Data***

Welsh Government measures the success of planning policy teams using the following criteria and KPI's:

- 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 Adopted LDP in place, although the Plan is now beyond the original plan period that ran until 2021. We also submit our LDP Annual Monitoring Reports on time. 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 in years of housing land supply. 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. This was due in the main to macro-economic factors. 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 sufficient 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 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 in 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 broadly the same timeline as us (where savings can be made). This is to secure efficiencies and a consistency of approach as far as possible. Opportunities for joint evidence gathering will continue to be maximised. Adjoining local authorities are, however, currently also 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 include the land use requirements of all service areas across the Council and other public sector service areas. It will require input from colleagues including (but not limited to) 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 (IIA)***

There are no impacts of significance on protected groups arising from the DA timetable update. An integrated sustainability appraisal of the Preferred Strategy has been undertaken and this will be updated to assess the Deposit Plan. The integrated assessment will incorporate 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 (July 2024)