

Economy Scrutiny Panel

DATE	8 November 2022
REPORT OF	Sharon Wroot, Executive Director for Environment, Economy, and Resources
SUBJECT	Local Plan Review – Scoping and Issues
STATUS	Open

CONTRIBUTION TO OUR AIMS

The current Local Plan was adopted in March 2018. The Plan supports the Council's priorities of 'Stronger Economy and Stronger Communities'.

The scrutiny panels act as a reviewing mechanism for proposed decisions made relating to the strategic policy, performance and resources required to deliver the ambitions of the council and the strategic partnership. The aim of the scrutiny process is to make sure decision making is robust by providing constructive challenge. This contributes to the Council being effective and efficient, and therefore it is integral to the delivery of the Council Plan.

EXECUTIVE SUMMARY

This report provides information on the review of the North East Lincolnshire Local Plan. The Scoping and Issues paper marks the first informal stage in the preparation process and provides the first opportunity for engagement in the process.

MATTERS FOR CONSIDERATION

Economy Scrutiny Panel's role in considering the review of the Local Plan is one of scrutinising the process that is being followed in undertaking the review.

The Council has a duty to maintain an up-to-date Local Plan. The National Planning Policy Framework (NPPF) stipulates local plans should be reviewed at least every five years and then updated as necessary. The existing Local Plan was adopted in March 2018. The council has a duty to maintain an up-to-date Local Plan. The initial engagement will inform the scope of the review and provide an insight into the key issues to address.

1 BACKGROUND AND ISSUES

Local plan review

- 1.1 The original cabinet decision (June 2020) approved the commencement of work on the Local Plan review. This decision was made based on evidence provided in the completed Planning Advisory Service (PAS) toolkit assessment.
- 1.2 Much of the Local Plan continues to operate effectively and the evidence that supports many of the on-going policies remains up to date. The principles for the review that were originally agreed were as follows:

- Maintain a single all-encompassing Local Plan
 - Maintain a pro-growth strategy which supports the council's economic strategy
 - Produce a Plan which is viable and deliverable
 - Revise the Plan only where necessary to address the changes to the NPPF or where the need is highlighted in the PAS toolkit
- 1.3 However, since that original cabinet report the Government has proposed more wide-ranging changes to the planning system and National Planning Policy Framework the impact of which will need to be addressed by the Local Plan review. Whilst it is considered appropriate to continue to follow those principles it is also important to note the areas that now have a greater emphasis, including:
- An increased emphasis on design quality
 - An increased focus on addressing aspects of climate change
 - A drive to improve the environment through bringing forward biodiversity net gain (as set out in the Environment Bill)
 - A broadening of the timeframe, larger developments now set within a vision looking ahead at least 30years
- 1.4 In line with the Government's planned reforms to the planning system, the local plan review will seek to:
- Simplify the local plan
 - Focus on local priorities
 - Not repeat national guidance as set out in the National Planning Policy Framework
 - Provide a framework for development which will support the Council's vision for North East Lincolnshire to be a place where people are proud to live, work, invest and visit.

Process, Consultation and Engagement

- 1.5 The process of progressing a review of the local plan is the same as that of preparing a local plan. The revisions to the plan must still be supported by evidence and assessed through a continuous process of sustainability appraisal and habitats regulation assessment.
- 1.6 The Government sets out the minimum statutory consultation requirements all local planning authorities must follow when preparing and reviewing a local plan.
- 1.7 The Scoping and Issues engagement is an initial informal stage of public engagement which sets out to establish the scope of the local plan review and to identify the issues that need addressing.
- 1.8 The engagement undertaken is carried out in accordance with the adopted Statement of Community Involvement, which sets out who we engage with, how, and by what means through the review. The engagement undertaken at this stage included drop in events, contact to those on the local plan

database, contact with statutory bodies parish and town councils, publication of a public notice, notification through social media. Feedback on the responses received through this initial engagement will be provided at the meeting. A comprehensive consultation and engagement is currently under review.

1.9 The next steps in the progression of the review are set out below. These are the formal statutory stages of the local plan review. This will include the following stages:

- Delivery of a wide and comprehensive informal consultation plan with residents and businesses in North East Lincolnshire.
- Development of the supporting evidence base
- Draft plan – this is the first statutory consultation stage of the review, where the Council will set out its draft revisions to the policies set out in the adopted 2018 Local Plan
- Submission draft – this statutory consultation stage is the final opportunity to make representations on what the Council considers to be the version of the local plan it would adopt
- Review internal governance requirements
- Submission – the Council will submit to the Secretary of State the version of the local plan it would adopt along with any representations received during the submission draft consultation period and the supporting evidence base documents for independent examination
- Examination – the examination is held in public and run by the appointed Planning Inspector. The timetable for this is set out by the Inspector and he or she may ask for additional information to be provided or prepared. It is their opportunity to clarify any concerns they may have before they provide their recommendations
- Adoption – subject to any recommendations from the Planning Inspector the revised local plan will be adopted. At this time the current 2018 Local Plan will be superseded

1.10 It is anticipated that this work will take around three years to complete with the new updated Local Plan being adopted in 2025.

Local Development Scheme

1.11 The Council is required to publish its timetable for the local plan review in a document called the Local Development Scheme. An initial guide was included in the Cabinet report relating to the Issue and Scoping paper. This set out an indicative timeframe as set out below:

- August 2022: Cabinet paper seeking approval to undertake engagement, which will provide the framework for the review
- Sept 2022: commence engagement
- 2023 to 2024: Draft Local Plan is developed. Two iterative rounds of statutory consultation on the Draft Local Plans
- Late 2024: Submission to the Secretary of State for formal examination
- Early 2025: New Local Plan adopted

- 1.12 The formal timetable will be published in the Local Development Scheme once the responses to the initial engagement have been assessed.

2 RISKS AND OPPORTUNITIES

- 2.1 Restarting the local plan review presents some risks to the Council, particularly the fact that the Government intends to bring forward further changes to the planning system through the Levelling Up and Regeneration Bill and other legislation and policy. Whilst some of the more radical changes aired in the Planning White Paper have been dropped others are still being proposed. These will need to be picked up as part of the local plan review.
- 2.2 There remains a degree of uncertainty over the exact scope and timing of the planning reforms. The greatest risk is that the Council could end up preparing a plan that is immediately out of date or may be forced to switch to produce a new style local plan.
- 2.3 Due to the uncertainty of both the exact detail and timing of the new legislation assessing the impact of mitigating this risk is difficult. However, much of the work in preparing the local plan review would still be of value, such as establishing an up-to-date evidence base. Although there may be some work that may need to be revised as the new legislation is established.
- 2.4 There is also a risk that the scope of the review may be expanded beyond what is necessary to address the changes to the National Planning Policy Framework. Failure to control these aspects would extend the timeframe for the review process, increasing costs.
- 2.5 Changes to national planning policy will be tracked as part of the local plan risk assessment process to maintain progress on the review.

3 OTHER OPTIONS CONSIDERED

- 3.1 The preparation of the Scoping and Issues paper (Appendix A) marks the initial stage of the local plan review process and represents an informal stage in the preparation process. The content of the paper is designed to highlight those key areas that have been identified as needing review and to establish the overall scope of the review. This is considered a valuable first step in the review process and will set the stage for the more formal statutory consultation stages.
- 3.2 No other options were considered.

4 REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1 There are potential positive and negative reputational implications for the Council resulting from this decision.
- 4.2 Progressing the review emphasises the role of the local plan and sends a strong message to government that having an up-to-date local plan is important and residents/businesses are fully sighted and have had the opportunity to input.
- 4.3 There is, however, a danger that the public will see the need for a review as a

negative, particularly as the local plan related to a period to 2032. The reasons for the need for review now must therefore be clearly communicated and the scope of the review clearly defined.

- 4.4 There is an added complication as the details of the planning reforms have yet to be clearly defined by government. This may have implications on the progress of the review which will need to be carefully managed and communicated.
- 4.5 An action plan will be agreed with the Council's communications service, covering both the informal public engagement period and formal statutory consultation requirements involved in the local plan review. In addition, it seeks to identify the communication channels to be used to promote and increase awareness of the local plan review.

5 FINANCIAL CONSIDERATIONS

- 5.1 The costs of preparing the local plan review documents and carrying out the various engagement periods will be funded by EQUANS.
- 5.2 There will be a requirement to update some of the background evidence documents which inform the local plan, the need for which will be defined by the scope of the review. The costs for updating these documents will be shared between the Council and EQUANS.
- 5.3 The costs of the Secretary of State appointed Planning Inspector for the local plan examination will be met by the Council.

6 CHILDREN AND YOUNG PEOPLE IMPLICATIONS

- 6.1 The local plan includes policies that will affect future development in the Borough. This will therefore have implications on the lives of people living in the area and the opportunities that are available to them.

7 CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

- 7.1 The Local Plan includes many policies that have climate and environmental implications. The Government has strengthened the approach to these aspects as part of its changes to the planning system and is introducing new legislation through the Environment Bill. The local plan review will need to address these changes.

8 CONSULTATION WITH SCRUTINY

- 8.1 The proposed changes identified in the local plan review will be considered by Scrutiny in due course. Due to the wide scope of the Local Plan, consultation will be held with all Scrutiny panels throughout the local plan review process through a process of briefings and workshops. The role of Economy Scrutiny Panel is one of scrutinising the process of preparing the local plan review.

9 MONITORING COMMENTS

- 9.1 In the opinion of the author, this report does not contain recommended changes to policy or resources (people, finance, or physical assets). As a

result, no monitoring comments have been sought from the Council's Monitoring Officer (Chief Legal Officer), Section 151 Officer (Director of Finance) or Strategic Workforce Lead.

10 WARD IMPLICATIONS

10.1 All wards are affected.

11 BACKGROUND PAPERS

11.1 Cabinet report of 6 October 2021

(<https://democracy.nelincs.gov.uk/meetings/cabinet-5/>)

11.2 Cabinet report of 10 June 2020

(<https://democracy.nelincs.gov.uk/meetings/cabinet-51/>)

11.3 Statement of Community Involvement (<https://www.nelincs.gov.uk/planning-and-building-control/planning-policy/statement-of-community-involvement/>)

11.4 North East Lincolnshire Local Plan 2013 to 2032, adopted March 2018

(<https://www.nelincs.gov.uk/planning-and-building-control/planning-policy/the-local-plan/>)

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