



Report Reference Number: C/22/5

To:	Council
Date:	27 September 2022
Status:	Key Decision
Ward(s) Affected:	All Districts
Author:	Caroline Skelly, Planning Policy Manager
Lead Executive Member:	Cllr Mark Crane, Lead Councillor for Place Shaping
Lead Officer:	Martin Grainger, Head of Planning and Interim Head of Regulatory Service

Title: Revised Local Development Scheme and drawdown of £186k of funding from the contingency reserve to support the completion of the Local Plan

Summary:

The Local Development Scheme (LDS) sets out a timetable for the preparation of a Local Plan and its relevant documents. It represents a public statement as to what Local Plan documents will be prepared over a three-year period, identifying key milestones and preparation arrangements. The purpose of this report is to consider a revised Local Development Scheme (LDS) for 2022 to 2024 and seek additional funding from the contingency reserve to complete the Local Plan.

Recommendations:

1. That Council recommends that the revised Local Development Scheme which sets out the timescales for the preparation of a new Local Plan at Appendix 1 is brought into effect and published.
2. To approve a drawdown of a further £186k from the contingency reserve to complete work on the Local Plan as set out in paragraph 4.2.7.

Reasons for recommendation

It is important that there is clarity about what work is being undertaken to progress the Local Plan for Selby District and what documents will be produced. Local Plan documents have key implications for places across the district and for communities, businesses, and organisations across and beyond the district. There is a legal requirement to produce a Local Development Scheme, which must be made publicly available and kept up-to-date.

1. Introduction and background

- 1.1 The proposed new Local Development Scheme for Selby District Council covers the period 2022 to 2024.
- 1.2 Members approved a decision to begin work on the preparation of a new Local Plan in September 2019 and good progress has been made in accordance with the current Local development Scheme.

2. Progress of the Local Plan

- 2.1 In line with the current Local Development Scheme consultation took place on the Issues and Options for the Local Plan in early 2020. The responses to this consultation helped to shape the preparation of the Preferred Options consultation which took place between 29 January and 6 March 2021. Through the consultation exercise a further 44 additional or amended sites were also submitted to the Council for further consideration. Consultation on the 44 additional sites took place between 2 August and 13 September 2021.
- 2.3 Between 3 September and 15 October 2021 consultation took place on a number of technical evidence documents which will help to shape the Publication version of the Local Plan. Consultation took place on the Green Belt review, Greenspace Audit, Local Plan and CIL Viability report and the Indoor and Outdoor Sports Facilities Assessment.
- 2.4 In August 2022 the Council's Executive approved consultation on the Publication Local Plan to fulfil Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended. Consultation began on the 26 April, however due to the death of Queen Elizabeth II and the postponement of some consultation events this will now end on 28 October.
- 2.5 As part of the report on the Publication Local Plan presented to Executive a revised Local Development Scheme was also recommended to be put forward to Full Council for consideration. The key milestones are set out in the draft revised Local Development Scheme document attached at Appendix 1.

3. Alternative Options Considered

- 3.1 None as keeping the Local Development Scheme up to date is a statutory requirement.

4. Implications

4.1 Legal Implications

- 4.1.1 The Planning and Compulsory Purchase Act 2004 requires Local Planning Authorities to prepare and maintain a Local Development Scheme. This Legislation requires that the scheme should specify the Local Plan documents that are to be produced; the subject matter and geographical area to which each document relates; and the timetable for the preparation and revision of these documents. The Local Development Scheme must be made publicly available and kept up-to-date, as it is important that local communities and interested parties can keep track of progress.

4.2 Financial Implications

- 4.2.1 The Council has a specific budget for the preparation of the Local Plan and associated development plan documents. To date the work required to support the preparation of a new Local Plan has been delivered within the budgets established for this purpose when work commenced in 2019. However, as work has progressed a number of additional technical evidence has proved necessary to address concerns raised by Specific Consultees, this includes additional work on highways modelling, viability and the Housing and Economic Development Needs Assessment.
- 4.2.2 In order to complete the Publication Local Plan consultation and progress it through to Submission and Examination additional resources will be required as set out below:

Based on Budget allocation (reserve funded budget, not base budget)			
	Budget	F'cast spend	variance
21/22 c/f	£291,852		
22/23 Budget	£122,000		
22/23 revised budget	£413,852	£609,977	-£196,125
23/24 Budget	£60,000	£90,314	-£30,314
24/25 Budget	£0	£86,000	-£86,000
	£473,852	£786,291	-£312,439
Minus £127 approved via Urgency Decision	£473,852	£786,291	-£185,439

- 4.2.3 A significant cost of preparing the Local Plan has been in relation to Highways Modelling estimated to cost £495k. Discussions are taking place with NYCC Highways to seek contributions towards the costs for the development of the Strategic Highways model (estimated to be approximately £64k) and therefore the final sum could be reduced to -£250k.
- 4.2.4 The National Planning Practice Guidance say that Plans that are being prepared, but not yet adopted, can also carry over and continue through to adoption in the new authority. However, the regulations state that new plans covering the whole of the new area must be adopted within 5 years of the reorganisation. Continuation of the work will have significant benefits for the new authority as a large amount of work and financial investment has already been undertaken to support the preparation of the plan to this stage and this is underpinned by robust evidence. The Local Plan aims to provide for the long-term growth of Selby District beyond the plan period of 2040 and therefore will provide the new authority with a strong supply of new housing and economic growth for the medium to long term and help to contribute to meeting 5-year housing supply.
- 4.2.5 The completion of the Selby District Local Plan will clearly need to be supported by the new North Yorkshire Council beyond 1st April 2023. At this stage consideration

is being given by the LGR Planning workstream on whether Local Plans which are in this very late of preparation should go forward. As set out in Local Government (Structural Changes) (General) (Amendment) Regulations 2018, existing adopted plans will remain in place for the areas set out in the plan.

- 4.2.6 In order to continue to progress the Local Plan through the consultation on the Publication version and on to adoption Members are asked to drawdown further funds from the contingency reserve in order to complete the Local Plan. The balance on the contingency reserve is currently £1.1m. It should also be noted that as these costs exceeds £100k for revenue that it is captured by the Section 24 notice, so would also need that additional approval to proceed.
- 4.2.7 In order to ensure that the Local Plan can be progressed in line with agreed timeframes and submission before vesting day an Urgent Decision was made to drawdown £127k from the contingency reserve fund on 1st September under 3.8.3(k)(i) Part 3 of the Constitution to support additional technical highway work required for Local Plan. Council are therefore asked to support the drawdown of the balance of £186k from the contingency reserve.

4.3 Policy and Risk Implications

The timescales for the preparation of a new Local Plan are dependent on the maintenance of existing staff resources and the implications resulting from any future changes to national planning guidance.

4.4 Corporate Plan Implications

The preparation of a new Local Plan will help the Council to deliver its Corporate Plan objectives to make Selby a great place to do business and to enjoy life. More specifically it will contribute to the objective to have a local plan in place which will deliver more houses in the District, business opportunities, promote health and well-being and protect and enhance the local environment.

4.5 Resource Implications

None

4.6 Other Implications

None

4.7 Equalities Impact Assessment

The Local Development Scheme is a project plan. An equalities impact assessment will be prepared to support the emerging Local Plan.

5. Conclusion

- 5.1 The updated Local Development Scheme provides a public statement setting out which Local Plan documents will be prepared by Selby District Council. It sets out key milestones for these documents. Additional finances are required to complete the Local Plan work.

6. Background Documents

None

7. Appendices

Appendix 1 – Local Development Scheme 2022 to 2024

Contact Officers:

Caroline Skelly
Planning Policy Manager
cskelly@Selby.gov.uk
01757 292137