
SUBJECT:	<i>Local Development Scheme Review</i>
REPORT OF:	<i>Sustainable Development – Councillor Peter Martin</i>
RESPONSIBLE OFFICER	<i>Peter Beckford, Head of Sustainable Development</i>
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WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

Following the recent Government announced objective for speeding up plan-making, to consider options and a recommended way forward to produce a new Local Plan by early 2017 through a review the Councils' approved Local Development Scheme and other associated necessary actions.

RECOMMENDATION

That Cabinet recommend to Council;

1. Subject to agreement by South Bucks District Council, Chiltern District Council agrees to the preparation of a joint Chiltern and South Bucks Local Plan (2014 – 2036) under Section 28 of The Planning and Compulsory Purchase Act 2004 and for the preparation of a joint Chiltern and South Bucks Local Development Scheme to this effect.
2. Subject to approval of Recommendation 1 above and agreement by South Bucks District Council, that Council approves a joint Chiltern and South Bucks Local Development Scheme timetable such that the timetable comprises the following:
 - a) public consultation on a joint Local Plan in accordance with Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 commencing in January/February 2016 incorporating an 'Issues and Options' consultation
 - b) a preferred options consultation commencing in October/November 2016
 - c) pre-submission consultation on the Local Plan in accordance with Regulation 19 of The Town and Country Planning (Local Planning) (England) Regulations 2012 commencing in March/April 2017
 - d) submission of the Plan to the Secretary of State in accordance with Regulation 22 of The Town and Country Planning (Local Planning) (England) Regulations 2012 in September 2017
 - e) anticipated examination in December 2017
 - f) anticipated adoption in June 2018
 - g) on-going Duty to Co-operate

- h) review the need for a combined Chiltern and South Bucks community infrastructure levy at the most relevant point between September 2016 and July 2017.
3. Agree the establishment of a Joint Planning Policy Member Reference Group with:-
- a) The Group to consist of equal membership from the two councils, namely respective cabinet members with responsibility for planning plus up to five other members nominated by each council. Other than for the cabinet members there will be no substitutes and the cabinet members will be free to nominate a substitute member as and when necessary.
 - b) Meetings will not be open to the public and agendas, reports, documents and any notes of the meeting will be kept confidential amongst the two councils.
 - c) Other members of the councils will be able to attend the meetings and will be able to contribute to the meeting with the agreement of the Chairman.
 - d) The Group to have no decision making powers but to provide advice and a steer on the preparation of planning policy matters. Meetings will be arranged as required in order to progress the joint Local Plan to the Local Development Scheme Timetable, associated matters and other Local Plan related matters after the Local Plan has been adopted with due notice being given.
 - e) To be quorate, the meeting will require at least two appointed members from each Council to be present.
 - f) The terms of reference for the Group to be agreed at the first Group meeting.
 - g) Meetings as far as practicable will generally alternate between Chiltern and South Bucks offices. Both councils to elect a Chairman at the first meeting, with the chairmanship of meetings alternating between the two Councils (i.e. one chairing one meeting and the next chairing the next meeting at the respective Councils).
4. That Council agree the nominations for the Chiltern member places on the Group, with those members to remain in place unless otherwise determined by Council.

That Cabinet approve, subject to recommendations 1 and 2 above being agreed by Council and South Bucks District Council:-

5. To delegate authority to the Head of Sustainable Development to update the supporting Local Development Scheme document as a new joint councils Local Development Scheme. In exercising this delegation the Head of Sustainable Development will consult with and take into account the views of the Cabinet Member for Sustainable Development and the South Bucks District Council Cabinet Member for Sustainable Development.

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6. That notification of the revised Local Development Scheme Timetable be sent as soon as practicable to all Duty to Co-operate organisations, the Bucks Thames Valley Local Enterprise Partnership, the Milton Keynes and Buckinghamshire Natural Environmental Partnership and groups, organisations and individuals on the Council's Planning Consultation Database.
 7. That all of the public consultations on a joint emerging Local Plan to be carried out so as to meet the minimum requirements of both the Chiltern District Council and South Bucks District Council statements of community involvement.

Cabinet are also recommended to:-

8. Request as a matter of urgency the Joint Committee consider agreeing to the Planning Policy Team forming a shared service with South Bucks District Councils' Planning Policy Team, to be located at one of the authorities offices, either at Amersham or Denham.
9. Request as a matter of urgency the Personnel Committee to consider the staff resource implications for expediting the local plan to meet the Government objectives.
10. Agree to the funding of £400,000 additional expenditure to be met from the Council's Planning reserve.

2. Reasons for Recommendations

- 3.1 The new Government objectives for local plan-making will require a change to the Council's approved Local Development Scheme whilst presenting a significant challenge to produce a local plan by early 2017. The recommended approach is in line with a recommendation from the Shared Service Peer Review, will secure the best opportunity for the Council to meet the Government objective whilst having least financial impact.

3. Content of Report

- 3.1 The Government is to prepare a national league table for local plan-making and has said that "*In cases where no Local Plan has been produced by early 2017 – five years after the publication of the NPPF – we will intervene to arrange for the Plan to be written, in consultation with local people, to accelerate production of a Local Plan.*" Although the league table has not yet been published and it is not clear which local planning authorities could be affected it is clear that the Government is seeking to accelerate the preparation of local plans across the country, particularly in areas of high development pressure, and to significantly boost the supply of new housing to meet needs.
- 3.2 The approved Local Development Scheme for Chiltern has a timetable to 'produce' a new replacement local plan by September 2017, with examination in January/February 2018 and adoption in July 2018. Programming is a reflection of a number of factors

including available resources, duty to co-operate and the need to put in place a number of evidence base studies.

3.3 Officers are confident that the Council can meet the Government objective through a joint local plan as:

- a) A joint local plan will make more efficient use of available staff resources across the two councils and remove duplication in a number of areas. Whilst additional resources would be needed to speed up the preparation of separate local plans for South Bucks and Chiltern, less additional resources would be needed for the preparation of a joint plan.
- b) The Government has announced that it will be bringing forward measures to support the speeding up of local plans, anticipated to be in October, and is expected to help relieve some of the evidence base burden on local planning authorities.

3.4 The above is also dependent on:-

- a) Additional resources – financial implications set out below and staff implications to be considered by the Personnel Committee
- b) The Planning Policy services from both councils forming a single shared Planning Policy team. Members will recall this was an option when the Joint Committee considered the Planning Policy Shared Service Business Case but was not accepted at the time and so this decision in the light of changed circumstances will need to be reconsidered.
- c) To have a co-located team based at one of the two authorities offices.
- d) Joint Planning Policy Member Reference Group to allow confidential discussions and to provide advice to the Cabinet members and Cabinets. The Group not to have any decision making powers but to assist in steering the development of the Local Plan to be the subject of subsequent public debate/papers.
- e) Possibly the need for both councils to have additional Cabinets to ensure co-ordination of decisions to meet the timetable.
- f) Creation of a single local plan where development proposals are not ring-fenced towards meeting needs in a particular area but where proposals are brought forward so as to best deliver sustainable development.

4. Consultation

4.1 Lead officers from all adjacent local planning authorities to South Bucks and Chiltern district councils, the other Berkshire local planning authorities, Milton Keynes Council, Buckinghamshire County Council and the Bucks Thames Valley and Thames Valley Berkshire local enterprise partnerships have been consulted.

4.2 At the time of writing this report the following summary comments had been received:

- a) Buckinghamshire County Council: Initial response is that the joint approach seems sensible (both in totality and duty to cooperate terms).
- b) Milton Keynes Council: Do not consider there to be any pressing concerns about a potential joint Plan for the two authorities and the evidence required, from this Council's point of view. However, it will be important to maintain our involvement as things progress so that we can be kept up to speed with any unmet development needs which either Council may identify.
- c) Dacorum Borough Council: Do not consider that the proposal should raise any duty to co-operate issues above and beyond those previously highlighted. Note the complications regarding the Bucks-wide work on the SHMA and the fact that the two authorities appear to sit within separate Housing Market Areas.
- d) Bracknell Forest Council: From our perspective we will continue pushing for our SHMA to be completed asap, so we can progress with our local plan.
- e) Wycombe District Council: Welcome the fact that you are commissioning ORS/Atkins to review the implications of a joint local plan for the definition of the HMA and FEMA and look forward to seeing the draft findings. If the conclusion is that South Bucks is drawn into the central Bucks HMA by virtue of being combined with Chiltern then clearly the Central Bucks HEDNA work would need to be updated. We would have to consider how this work is integrated into the current HEDNA work. We should recognise upfront the implications should the Central Bucks HMA be expanded to include South Bucks. I agree that if this happened then the logic is for South Bucks to become a signatory of the recently signed MoU. However there is no doubt that given the likely scale of housing need in South Bucks and the constraints of the District, there is the potential for further unmet need being identified. This undoubtedly increases the challenge and risk we face in Bucks.
- f) Aylesbury Vale District Council: Our position is much the same as Wycombe's i.e. we accept that the best fit HMA has to apply joint local authority boundaries where there is to be a joint Local Plan for that area. We would however need to see the justification for that best fit area applying to all four Bucks councils as the relationship between S Bucks/Chiltern and Aylesbury Vale will need to be considered.

The other aspect that concerns us is also one shared by Wycombe i.e. what will the impact on unmet need be and the timetable for finding that out. AVDC is aiming to produce a draft Plan next Spring so we would need to know implications of unmet need as soon as possible to avoid any delays in our plan preparation. Therefore a timetable will need to be produced and then the MoU can be updated to reflect the responsibilities of the signatories.

5. Options

5.1 The Council has three options, to continue on the current Local Development Scheme timetable (which will not meet the Government objective for plan-making); to progress a Chiltern Local Plan to a shorter timescale (requiring additional resources and with significant risks of not meeting the timetable); or to explore a joint local plan with South Bucks District Council to meet the Government objective (also requiring additional resources but less than carrying out separate plans, costing less to prepare particularly in the 'examination' stage, having less timetable risks and would meet a recommendation coming out of the Peer Challenge Review).

7. Corporate Implications

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7.1 *Financial* – there are required to be a number of Council related decisions, namely

- Cabinet on 20th October/Council on 3rd November – decision on whether to prepare a joint local plan with Chiltern/South Bucks
- Joint Committee on 26th October – reconsideration of the Planning Policy Shared Service Review, essentially whether there should be a single team in a single location should a joint plan be pursued
- Personnel Committee on 28th October – decision on resources within Planning Policy whether a joint plan is pursued or not.

There are financial implications from all of the above decisions as summarised by the attached table.

Service Activity	Estimated cost for Chiltern Local Plan	Estimated cost for South Bucks Local Plan	Estimated cost for a joint local plan/Shared Service	
			Chiltern (50%)	South Bucks (50%)
Staff Costs (draft budget for 2016/17)	£277,094	£233,978	£255,536	£255,536
Additional Proposed Staff Costs – full year cost and max.	£25,596	£96,868	£37,015.5	£37,015.5
<i>Staff Costs Sub-Total</i>	<i>£302,690</i>	<i>£330,846</i>	<i>£292,551.5</i>	<i>£292,551.5</i>
Local Plan Costs (to adoption)	£485,900	£524,500	£363,055.5	£363,055.5
Total	£788,590	£855,346	£655,607	£655,607
Combined Totals	£1,643,936		£1,311,214	

Staff costs would be part of an overall shared service with costs being met between the two authorities. If the Shared Service Review is agreed by the Joint Committee there would be a net saving (in terms of cost avoidance) from staff costs compared to Chiltern undertaking a separate Chiltern Local Plan.

Additional costs are recommended to be met through a combination of existing budgets across the two councils, use of reserve budgets and to be considered as part of future budget processes.

Other than staffing costs, a joint local plan will secure significant savings through for example having a single plan examination (estimated £100k saving), increased evidence base cost sharing/other savings (estimated at £190k across both councils), thus maximising cost avoidance. There is also expected to be other efficiency and time savings within Planning Policy (e.g. removal of duplications) and across the two councils, for example services will only need to engage on one local plan and a reduced collective number of member meetings. Accordingly, the preparation of a joint local plan will be more cost-effective than continuing with the preparation of separate local plans. Additional resources will be needed to deliver a shared service including additional project management time estimated as a one off cost of £12,000.

The additional costs over and above the current budgetary estimate is £400,000 and is recommended to be met from the Council's Planning reserve, which as at 1st April 2015 stood at £1,056,000. The £400,000 estimate being arrived as follows:

	Estimate	Balance
Reserve Balance at 1 st April 2015		£881,000
Estimated spend from Reserves for 2015/16	£200,000	£681,000
Joint Local Plan additional costs for 2016/17	£163,000	£518,000
Additional Salary cost	£35,000	£483,000

There are therefore sufficient funds in the reserve for the time being however in due course contributions to the reserve will need to be made to complete the plan process. It should also be noted that this reserve is not solely for the use of the local plan.

7.2 Legal – the Council's legally are able to prepare a joint local plan and operate through a shared service planning policy team.

7.3 Environmental Issues and Sustainability – having a single local plan is expected to reduce the overall use of paper while the plan itself will be the subject of a Sustainability Appraisal, Strategic Environmental Assessment and Habitat Regulation Assessment.

7.4 ICT – there will be ICT implications for a shared service which will need to be identified and addressed but in the same way as other services that have become single teams in one location.

7.5 Partnership – addressed in section 4 of this report.

8. Links to Council Policy Objectives

8.1 The recommendation will deliver cost effective, customer focused services by providing a best value for money service particularly through optimising use of resources reducing unavoidable costs through the shared services programme and providing excellent services.

8.2 The recommendation will also strive to conserve the environment and promote sustainability through a joint plan delivering the most sustainable development solutions to meet local needs in the plan area and through more efficient use of resources.

9. Next Step

9.1 South Bucks District Council's Cabinet will have considered a similar report to the above on 13th October 2015, the outcome of which will be provided at the meeting. Both Cabinets will be asked to make recommendations to their respective Councils and subject to both Cabinet support and both Councils resolving to agree:

- a) The councils to publish the Local Development Scheme Timetable
- b) Duty to Co-operate organisations, town and parish councils, local groups and organisations/individuals on both Councils consultation data bases will be notified and a press release issued
- c) Subject to agreement by the Joint Committee on 26th November processes will be put in place to start to implement a Joint Planning Policy Team
- d) Subject to agreement by the Personnel Committee on 28th October staff resourcing measures will be put in place.
- e) Meeting dates will be set up for the Joint Planning Policy Member Reference Group (the first meeting being on 19th November) and other meeting dates established to deliver to the Local Development Scheme Timetable.

Background	
Papers:	