



Report to: Cabinet Meeting - 12 July 2022

Portfolio Holders: Councillor David Lloyd, Strategy, Performance & Finance and Councillor Rhona Holloway, Economic Development & Visitors

Director Lead: Matt Lamb, Director - Planning & Growth

Lead Officer: Matthew Norton, Business Manager Planning Policy & Infrastructure

Report Summary	
Type of report	Open Report Non-Key Decision
Report Title	Plan Review Progress Report
Purpose of Report	<ul style="list-style-type: none"> To update Cabinet on progress on the Amended Allocations & Development Management DPD and progress on the associated Gypsy & Traveller Pitch Delivery Strategy. To propose an amendment to the Plan Review timetable and the Local Development Scheme. To seek support to hold an Extraordinary Full Council meeting at the end of September to allow the Amended Allocations & Development Management DPD to be published for a period for Public Representation. To seek authorisation for additional permanent resource in the Planning Policy & Infrastructure Business Unit.
Recommendations	<p>To note and support the contents of the report.</p> <p>To adopt the amendment to the Plan Review timetable (Local Development Scheme) as set in Section 3 of this report, to come into force on 19 July 2022.</p> <p>To request that the Chief Executive call an Extraordinary Full Council meeting be held on 21 September 2022 to agree publication of the Amended Allocations & Development Management DPD.</p> <p>To approve an additional Full Time Planner (Policy) post, to be funded for 2022/23 and 2023/24 from the Neighbourhood Plan Reserve and from 2024/25 from the Council's base budget, with £45,520 being added into the base budget, inclusive of any future pay awards.</p>

Reasons for Recommendations	<p>a) To allow Cabinet to note progress on the Plan Review</p> <p>b) To agree an amendment to the timetable so that the Local Development Scheme can be updated to comply with the Planning and Compulsory Purchase Act 2004 and appropriate regulations.</p> <p>c) To allow the Council to agree to the publication of the Amended Allocations & Development Management DPD in September 2022.</p> <p>d) To allow the appointment of an additional Planner (Policy) to the establishment in order to continue to meet the aspirations of the Council and emerging changes and challenges through planning reform.</p>
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1.0 Background

1.1 Cabinet considered a report at its June Meeting on process in relation to the Plan Review and more specifically on the progress toward finalising the Gypsy, Roma, Traveller (GRT) pitch delivery strategy which will support the Amended Allocations & Development Management DPD (*hereafter referred to as the DPD*).

1.2 As previously reported there is no requirement as part of this DPD to allocate more general market or employment land. That is not the case for all housing sectors with one of the main challenges of the Plan Review being the ability of the Council to identify sufficient sites to meet the future identified needs of the GRT community. A lack of available sites, as a result of market failure, has led the Council to conclude that only a comprehensive Pitch Delivery Strategy which includes intervention from the Council to facilitate additional sites will allow the delivery of sufficient sites and pitches for our GRT communities.

1.3 The Pitch Delivery strategy is made up of the following elements:

Pitch Delivery Strategy		
Meeting the overall need by the following actions:		
1	2	3
Contribution from Existing Sites	Allocating new sites in private ownership	New sites facilitated by Council Action
<ul style="list-style-type: none"> • Current sites with existing additional capacity to contribute circa 85 pitches • Sites with potential to accommodate need have been identified. 	<ul style="list-style-type: none"> • Two sites in locations around Newark offer the potential for additional pitch provision • Proposed sites on Tolney Lane can be brought out of flood risk 	<ul style="list-style-type: none"> • Purchase site or sites to deliver on our own or with partners • Work with private sector operators to bring sites back into GRT use.
Cross Cutting Action:		
Delivery of a flood safe access to Tolney Lane and associated mitigation work		

1.4 All strands of the Pitch Delivery Strategy including the options for site allocation were subject to consultation through the 'Options Report' document which was made publicly available for comment between 27th July – 21st September 2021, covering a period of 8 weeks and exceeding the statutory minimum requirement of 6. Consultation on the Options Report was carried out in line with the District Council's Statement of Community Involvement, and followed prior engagement with District Council Members and Town/Parish Councils. For the consultation itself those parties who we are required to consult and others who had previously registered their interest were sent direct notifications, with over 400 emails and around 150 letters being sent out. Supplementing this extensive publicity was undertaken using a variety of methods – the Council's website, social media channels and the production of a video which was also circulated via those methods and reached 3,100 people. Press releases were provided for the local press, and formal Public Notices also placed in newspapers. Three online meetings were also widely publicised and held on the 7th, 9th and 16th of September, as well as an in-person event at Newark Market across the morning of the 15th September. Particular specific efforts were made to engage with the District's Gypsy and Traveller communities via our Community Relations team.

2.0 Plan Review and Pitch Delivery Strategy Progress

2.1 It had been anticipated that a draft DPD would be presented to July Cabinet. This is clearly contingent on the wider pitch work being completed to the extent that we can be confident of publishing a 'sound' Draft DPD. There have been a number of delays in the investigatory work relating to the potential sites for GRT Pitch provision required in strand 3 of the work. Therefore whilst the Draft DPD itself has been completed to the extent that it can, officers would not be in a position to recommend its publication until such time as the Pitch Delivery work is further advanced. This will be the case by the September meeting of Cabinet and to that extent section 3 sets out a new timetable based on this approach.

2.2 As reported at the previous Cabinet Meeting whilst the Trent Lane site remains potentially suitable, its deliverability is questionable given land owner expectations. As these cannot be met, Officers will no longer be proposing the site for allocation in the forthcoming Draft Plan.

2.3 On the 13th June the Council submitted a bid to the Department for Levelling Up, Homes and Communities, Traveller Site Fund 2022/23. The bid was for £1 million, the maximum amount of capital funding to create a new permanent site for Gypsy and Travellers on Bowbridge Lane. The outcome of the application will be known by late summer, and any additional financial implications for the Council associated with the site will be reported under work strand three of the Pitch Delivery Strategy, detailed above under 1.3 to the September Cabinet.

3.0 Proposed Amendments to the Timetable

3.1 To reflect the delay the Local Development Scheme – the Plan Review timetable needs to be updated. The table below shows the proposed new timetable which will mean that the DPD will be adopted one month later than proposed previously agreed. In order

for this to be achieved it will be necessary to ensure that an additional Council meeting is held in September (proposed for the 21st September 2022) so that the Draft DPD can be published for representation and any representations can be considered before the end of the year.

Amended Allocations & Development Management DPD	
Current Adopted Timetable	Proposed New Timetable
Consideration of the Draft DPD <i>Cabinet 13 July Full Council 19 July</i>	Consideration of the Draft DPD <i>Cabinet 20th September Full Council Additional Meeting 21 September</i>
Publication of Draft DPD (and final Integrated Impact Assessment) for period of Public Representation (July/August/September 2022)	Publication of Draft DPD (and final Integrated Impact Assessment) for period of Public Representation (September/October/November 2022)
Consideration of representations and any potential amendments	Consideration of representations and any potential amendments
Submission of DPD to Secretary of State (December 2022) <i>Full Council 13 December</i>	Submission of DPD to Secretary of State (February 2023) <i>Full Council 7 February</i>
Examination by Inspector (June 2023)	Examination by Inspector (July 2023)
Consultation on Main Modifications (September/October 2023)	Consultation on Main Modifications (September/October 2023)
Receipt of Inspector's Report (December 2023)	Receipt of Inspector's Report (January 2024)
Adoption and Publication (February 2024)	Adoption and Publication (March 2024)

4.0 Additional Resource Requirements

- 4.1 As set out above key priorities for the Planning Policy & Infrastructure Business Unit relate to the Plan Review and the approach to meeting Gypsy & Traveller pitches, however there a number of other competing demands relating to the Plan Review, preparing advice and comment on a number of major planning applications, managing infrastructure projects and inputting into a range regeneration and corporate projects.
- 4.2 Furthermore a number of Parish Councils have expressed an interest in developing/reviewing Neighbourhood Plans even if only a small number of these come forward at key stages the relevant assigned officer will have to break off to carry out legally required work. The issue is that the Officers in the team have no control over when this would occur.
- 4.3 Looking over the next two years it is also apparent that on top of these issues the governments proposed planning reforms will have significant implications. Whilst current indications are that some of the more radical elements of the review may be not no occur it is likely that the new emphasis on design will be pursued, including the requirement for a design code for the District.

- 4.4 In November 2021 following a review of requirements for additional support to ensure that the Council could undertake the remainder of the Plan Review SLT agreed that an additional Planner (Policy) could be appointed for a period of 2 years funded from the Council's Neighbourhood Plan Reserve.
- 4.5 Unfortunately the post attracted limited interest and no appointable candidates. Whilst the Council has found recruitment difficult over the past few years, appointing Planners in both Planning Development and Planning Policy has been successful on a number of occasions. Salaries and working arrangements are broadly comparable to other authorities and officers have concluded that the temporary nature of the post has put candidates off. It is therefore proposed that the post be made permanent to the establishment to make it more attractive to potential candidates. This will also assist in providing long term resilience to the Planning Policy & Infrastructure Business Unit.
- 4.6 Whilst it was previously proposed to fund the FTC response for the finite period of 2 years, there will inevitably now be a need to cover costs beyond that period within the base budget. It is proposed that as this post will be helping to provide extra capacity within the team for additional Neighbourhood Plan activity, it is proposed that initially this is funded from the Neighbourhood Planning Reserve. Currently the reserve holds the following funds:

Neighbourhood Plan Reserve

Balance	£64,890
Received in year 21-22	£60,000
Current Position	<u><u>£124,890</u></u>

- 4.7 Neighbourhood planning work is funded by a retrospective grant (£20,000 per plan) from the government when a Neighbourhood Plan is adopted by the Council. This pays for any activities the Council needs to carry out (e.g. Appointing the Examiner, Referendum costs) whilst any residual amount is held in a reserve. So whilst the initial salary for the role can be funded through the Neighbourhood Planning fund long term the role will need to be paid out of general revenue expenditure to ensure that it doesn't drain the reserve or have no provision for salary going forward. The financial implications are set out in section 3 below.
- 4.8 Under the new governance arrangements because of the ongoing cost to the revenue account in the medium term this is a matter for Cabinet to consider.

5.0 Implications

Financial Implications - FIN22-23/1171

- 5.1 The annual cost to the Council of an additional Planner (Policy) post is £43,365 (including on-costs).
- 5.2 Recruitment, laptop and working from home kit costs will be met from the current year service budget.

5.3 It is proposed that for 2022/23 and 2023/24 the new post be funded from the Neighbourhood Plan Reserve. There's currently no funding available to meet the additional cost in future years and therefore would be an increase of £45,520 to the General Fund base budget from 2024/25. As set out in 4.6 the current balance in the Neighbourhood Plan Reserve is £124,890. Funding the post from this reserve in 2022/23 and 2023/24 will leave a residual balance of £55,280.

5.4 Anticipating an implementation date of 1 September 2022 the estimated cost of the post, subject to future pay awards are:

Planner Post Grade NS11	(Part Year - 7 months) 2022/23	2023/24	2024/25	2025/26	Total
Planner Post (NS11)	25,300	44,310	45,520	46,890	162,020
Funded by the Neighbourhood Plan Reserve	(25,300)	(44,310)	0	0	(69,610)
Amount to be added to General Fund Base Budget	0	0	45,520	46,890	£92,410

Equality & Diversity Implications

5.5 An Integrated Impact Assessment is being prepared alongside the Plan Review process to ensure that the impact on groups with protected characteristics of the proposals are considered as part of the policy making process. It is clearly extremely important that housing provision in line with identified need is identified for the Gypsy and Traveller community.

Digital Implications

5.6 The officer will require a laptop and working from home kit.

Background Papers and Published Documents

Newark & Sherwood Local Development Scheme March 2022