

## FULL COUNCIL

17 JULY 2013

### REPORT OF THE CHIEF EXECUTIVE

#### REVIEW OF MELTON LOCAL DEVELOPMENT FRAMEWORK – CORE STRATEGY PREPARATION AND INSPECTION

##### 1.0 PURPOSE OF REPORT

1.1 The purpose of this report is to meet the Council's resolution of 15 April 2013 that:-

"The Council requests the Chief Executive to institute a review into what happened and what lessons can be learnt for the future and

Council instructs the Chief Executive to develop a programme for the development of a new plan which will include a timetable, resources needed, staffing and expertise that will be necessary, evidence and sources of that evidence and engagement with the public".

##### 2.0 RECOMMENDATIONS

It is recommended that:-

- 2.1 **The Council receives and considers the Review of the Melton Local Development Framework: Core Strategy Preparation Inspection.**
- 2.2 **The revised structure of Regulatory Services as set out in paragraph 3.2 and in accordance with the Structure Chart at Appendix 1 be approved.**
- 2.3 **The Phasing Plan and Timetable attached at Appendix 2 be approved.**
- 2.4 **The revised title and Terms of Reference for the Melton Local Plan Working Group be approved.**
- 2.5 **To streamline processes and improve inclusively, the Melton Local Plan Working Group its findings, proposals and recommendations be reported directly to Full Council.**
- 2.6 **A politically balanced Project Board supported by Corporate Management Team and the Head of Service be appointed to oversee the effective management of the development of the Melton Local Plan**
- 2.7 **Reference Groups be established to promote engagement and involvement of Residents, Developers/Land Owners, Local Business, Young People and Special Interest Bodies.**
- 2.8 **Training and support be provided for the Reference Groups and their Members as appropriate during the process of development of the Melton Local Plan.**
- 2.9 **The first issues to be discussed by the Reference Groups to include the principles for growth and development of the Borough of Melton and Melton Mowbray and early consideration of the Housing Requirements.**

2.10 **Consequential amendments to the Constitution be made by the Monitoring Officer, to give effect to the necessary delegated authorities following the revised structure in Recommendation 2.2 above and Working Group Terms of Reference in 2.4.**

### 3.0 **KEY ISSUES**

3.1 The Review Report is attached to this report to Full Council. In accordance with the Council requirement the report sets out the circumstances and what happened and draws lessons from this analysis across a range of areas of activity, although it can be seen that there are certain consistent messages and advice for the Council's future work.

3.2 The Council requires resources to carry out the review of the Melton Local Plan in a reasonable timescale and to enable it to manage challenges which may arise from early development proposals/applications and potential appeals which may result in certain cases. To achieve this the Council is recommended therefore, that the Planning Policy Section should form part of Regulatory Services. This will bring together expertise required to deal with the current circumstances and to enable the Melton Local Plan to capture the synergies and required close working between the Planning Policy Team and Development Control Officers. The Melton Local Plan is a different document to the Core Strategy which also includes broad locations for Strategic Development on a key diagram and land use designations on a proposals map. Close working between the two teams will enable the Council to capture local knowledge and understanding to place this in the context of Policy Planning requirements, as indicated by the evidence base and expert advice.

3.3 The Council has set a challenging timetable to prepare and develop the Melton Local Plan (see paragraph 3.5 below) to enable this to be met effectively with the potential early development issues, a senior Regulatory Services Manager is required to support the Head of Service. The Officer should be required to have a Planning qualification and experience across a range of functions within Planning. This Officer will work closely with the Head of Service to ensure the smooth running of several disciplines included within Regulatory Services, but with particular focus being given to the Planning Policy Team and the Development Control Officers in the respective sections of the service team.

3.4 The proposed Structure Chart for the Service is set out at Appendix 1 with the financial implications being included within section 5 of this report.

3.5 The Phasing Plan including timescales for preparation of the Melton Local Plan is set out at Appendix 2. The Timetable is presented to Members in the form of a Phasing Plan to enable flexibility through the process to meet challenges and ensure proper regard is paid to Community engagement and involvement as well as management of the evidence base as it develops. The Phasing Plan suggests a 4 year time period for Plan development. Advice suggests this is reasonable but needs to be kept under review. Whilst it is not suggested that further legislative/regulatory changes would be expected within that period, this is still a possibility and the Council would need to ensure that its approach adequately complied with such changes prior to submission of any Local Plan.

3.6 The Phasing Plans sets a timescale to produce the Melton Local Plan, to ensure the Council's systems are streamlined, but also inclusive it is proposed that the Working Group (with revised terms of reference as at Appendix 5) makes recommendations and reports through to Full Council, but that also a Project Board politically balanced with the support of Corporate Management Team and the Head of Service to oversee and manage the process overall be established. With the inclusive approach of reports to Full Council from the Working Group and the proposed Project Board process

management role, this removes the need for Reports through Rural Economic and Environmental Affairs Committee. The Project Board will examine Council procedures and requirements and report any necessary changes to Full Council.

- 3.7 The Phasing Timetable impacts upon the Plan Period. The Council has been advised so far as possible to reduce the risk of the Plan Period being compromised by the time Inspection is reached. An early decision for the Council following consultation will be to agree the relevant Plan Period. This as Members are aware, has an impact on Housing Requirement and other matters.
- 3.8 At the Full Council Meeting on 15<sup>th</sup> April Members agreed to establish Reference Groups. The Melton Local Plan Working Group has considered the potential to establish such Groups and proposes that these cover Residents, Developers/Land Owners, Parishes, Local Business, Young People and Special Interest Groups. A Member of the Working Group will Chair/facilitate the Reference Groups with the invitation lists including a representative of relevant Organisations, Stakeholders and other Interested Parties recruited by way of advert/interview. A copy of the draft Terms of Reference is attached at Appendix 4 of the report and these will be discussed and determined at the first meeting of each Group.
- 3.9 It is intended that a Lead Representative from each Reference Group will attend meetings of the Working Group at relevant stages of consideration or finalisation of each topic or issue. This will enable the Group Representatives to understand the positions of other Stakeholders and Interested Parties. This will allow a consensus to be developed or concerns to be crystallised for the Working Group to consider prior to making recommendations to the Full Council, as required. It is proposed that at regular intervals, say twice a year, there is a major Conference of the Reference Groups where the evidence base, progress made can be reviewed and further open discussion of major matters can take place.
- 3.10 As Members would expect time has not been lost during the preparation of the Review and early work has been undertaken on examining the evidence base and consideration of what parts of this can be reused as recommended by the Inspector Representative, or which requires refresh or renewal. As required as a direct outcome of the Examination, Housing Requirements have been reviewed and discussion of this together with context setting through discussion on the principles of growth in the Borough and Melton Mowbray will be proposed as the initial work of the Reference Groups.
- 3.11 It is accepted that representatives working in the Reference Groups together with the Members/Community they serve will require information, training and support to develop their understanding to participate fully and influence the development of the Melton Local Plan. A programme of training and support will be developed during the preparation of the Local Plan which will be kept under review in the light of experience and developing knowledge of the Community/Stakeholder participants.
- 3.12 In order to add to the skills of relevant Officers, training will also be given in appropriate areas. Also existing skills and expertise across the Council will be used to assist representatives and their Community/Stakeholder Groups to properly engage with the Council in the preparation of the Local Plan which is a very structured and regulated process.

#### **4.0 POLICY AND CORPORATE IMPLICATIONS**

- 4.1 As part of this report the Council is requested to take further steps towards preparing a Melton Local Plan in accordance with current Legislation, Regulations and the National Policy Planning Framework. This work will build on the Council's recent experiences and the learning requested by the Council following consideration of the Review Report.

The context of Plan development will have a ‘whole organisation’ approach and therefore will sit across the Councils priorities of Improving Places, Supporting People and A Well Run Council. Ingredients of each of these major Policy Priorities will be utilised and applied in development of the Plan.

- 4.2 It has been suggested to the Council that this document in the current context of Government Policy and the Economic climate will become the ‘pre-eminent Plan’ of the Council. Whilst the Melton Community Strategy sets context for the Local Plan, work will take place through the Reference Groups on the principles of growth for the Borough and Melton Mowbray which will inform the work of the Melton Community Partnership and its Strategy as refreshed in future. Oversight and Management of the process will rest with the proposed politically balanced Project Board.

## 5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 The table below sets out the additional costs of the proposed structural changes in relation to the Local Plan. The annual cost of the additional capacity is £64,000. Subject to Member approval, costs for the 2013/14 Financial Year will be accommodated from existing budgets following recruitment.

POST	FINANCIAL IMPLICATIONS (inc pension and NI)	COMMENT
1 RS Manager – Band 14 (assumed)	£53,900	New post
1 Local Plan Manager – Band 13	Neutral	Vacant Post
0.5 Housing Policy Officer	Neutral	Formal transfer of 0.5 of post from C&N Budgets
0.5 Technician - Band 6 (assumed)	£10,220	New post
<b>TOTAL</b>	<b>£64,120</b>	

- 5.2 Officers advise that the current provision for the preparation of the MLDF should be continued and reallocated to the preparation of the Melton Local Plan, and that contributions by the Council, as made on an annual basis as part of the budget arrangements, should continue. Officers consider the fund to be adequate for the preparation period to support the work required. Appendix 3 sets this out in context.
- 5.3 The Council has reviewed its expenditure to date including staff costs, previously stated as approximately £1.8m, net of grant funding £1m and in particular identified those costs which are attributable to work which can be reused, or added to by refresh or which are ‘lost’ in the process. There are additional costs which arise as a result of this being a new process. In summary these costs are as follows:

Reused costs	£196,711	Previous costs relating to core strategy work that will be reused for the Melton Local Plan.
* Refresh costs	£213,290	Costs which would have been incurred following approval of a Core Strategy and are needed for the MLP.

Lost costs	£193,021	Net abortive consultancy and staff costs from loss of Core Strategy.
* Additional costs	£125,500	Additional costs that would not have been needed if the Core Strategy had been approved.

5.4 As said above the future costs identified by \* above can be met from the existing base budget , topped up on an annual basis from the specific reserves set aside for this purpose as approved as part of the annual budget process.

## 6.0 LEGAL IMPLICATIONS/POWERS

6.1 The Council will comply with the legislative and regulatory requirements as set out and applicable to appropriate stages of the development of the Melton Local Plan.

## 7.0 COMMUNITY SAFETY

7.1 The Melton Local Plan will deal with the Community Safety aspects of Planning Policy and deal with any requirements relating to Community Safety from allocations made.

## 8.0 EQUALITIES

8.1 The regulatory requirements set out that the Plan Preparation must comply with relevant Equalities Assessments at particular stages. The Council will follow those requirements.

## 9.0 RISKS

9.1 The main risks at this time can be stated as follows:

<b>Probability</b>				
↓				
Very High A				
High B				
Significant C		3,6	1,2	
Low D			5	
Very Low E			2,4	
Almost Impossible F				
	IV Neg- ligible	III Marg- inal	II Critical	I Catast- rophic
→ <b>Impact</b>				

Risk No.	Description
1	The Examination of the Melton Local Plan finds it unsound.
2.	Programme extends beyond anticipated timetable.
3.	Procedures need to be kept under review to achieve targets set.
4.	The learning is not followed.
5.	Failure to recruit to new posts (see para 5.1 above and Appendix 1).
6.	Consultation and participation arrangements do not deliver consensus (or accepted compromise) and result in challenge.

## 10.0 CLIMATE CHANGE

- 10.1 Part of the evidence base for the preparation of the Melton Local Plan will be relevant Climate Studies concerning appropriate Policies and land allocations/proposals as appropriate.

## 11.0 CONSULTATION

- 11.1 The Full Council has resolved to establish Reference Groups. Provisions relating to these are set out in paragraphs 3.8-3.9 in section 3 above.
- 11.2 Extensive consultation with interested parties and organisation representatives has taken place in the preparation of the Review Report. These comments have assisted the Council in its understanding and learning 'in the round'.
- 11.3 The Plan still requires a Statement of Community Involvement which will be prepared in accordance with Planning Practices but will have regard to the Members requirements for engagement, involvement and as appropriate consensus behind the development of the Melton Local Plan. The approach of the Reference Groups will be developed through the Plan Process and subject to review and learning. It is suggested this should be the case with progress towards Plan Preparation and adherence to the learning objectives identified the Review Report.
- 11.4 The Review suggests that a Communications Plan is required to adequately link these matters together. It needs to be more extensive than the earlier publication arrangements particular utilising Social Media in its various forms as a method of access. Members might find it interesting that the Councils Statement of Community Involvement prepared in 2003 identified that only 20-30% of those who may be interested in being involved and engaging with the then MLDF had access to the internet and modern technology. It is interesting to note how quickly methods of communication have changed and the Statements of Community Involvement prepared by the Council during the preparation period evolved and developed as engagement opportunities developed.
- 11.5 The Councils Communications Plan needs to be mindful of these developing opportunities; however it is considered that the Plan Preparation Period as set out in Appendix 2 is short enough to reduce the impact of such changes.
- 11.6 Finally, during the Plan Period the Council will give appropriate advice and guidance to the Reference Groups and its constituent Members as appropriate and in accordance with their needs. Where such advice and guidance could have an impact on the approach of that Group, transparency needs to be followed to ensure others are aware. For example, as part of the advice given MNAG the Council's Officers advised that the Petition should be presented to the Inspector so that it could be formally taken into account as of part of his process rather than assimilated into the Councils more general consultation. The Council needs to be mindful of ensuring that when it has given such advice this is understood by its Community.

## 12.0 **WARDS AFFECTED**

### 12.1 All

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Contact Officer: Lynn Aisbett, Chief Executive

Date: 28 June 2013

Appendices: Appendix 1 – Structure Chart  
Appendix 2 – Melton Local Plan - Timeline  
Appendix 3 – MLP Reserve Provision  
Appendix 4 –Draft Terms of Reference – Reference Groups  
Appendix 5 – Melton Local Plan Working Group - Terms Of Reference