



## ***Report to the Cabinet***

***Report reference: C-010-2014/15***

***Date of meeting: 21 July 2014***

<b>Portfolio:</b>	<b>Planning Policy</b>	
<b>Subject:</b>	<b>Local Development Scheme and Local Plan Resourcing</b>	
<b>Responsible Officer:</b>	<b>Anna Cronin</b>	<b>(01992 564119)</b>
<b>Democratic Services Officer:</b>	<b>Gary Woodhall</b>	<b>(01992 564470)</b>

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### **Recommendations/Decisions Required:**

- (1) To agree that the updated Local Development Scheme appended to this report be adopted and published on the Council's website; and**
- (2) To note expenditure against the Local Plan budget in 2013/14 and the estimated expenditure for 2014/15.**

### **Executive Summary:**

This report seeks agreement to an updated Local Development Scheme (LDS), the high level project plan for the preparation of the Epping Forest Local Plan. The proposed new scheme would supersede the earlier Local Development Scheme agreed in July 2013, with the preparation of the single District wide local plan scheduled for submission to the Secretary of State for examination in Autumn 2016. The report also highlights progress and expenditure since the last LDS was approved in July 2013.

### **Reasons for Proposed Decision:**

The Council is obliged under the Localism Act 2011 to prepare and publish a Local Development Scheme so that the public and stakeholders are aware of the likely timing of key stages of the plan making process. The current LDS, approved a year ago, is due for renewal.

### **Other Options for Action:**

Not to agree or to vary, the Local Development Scheme.

### **Report:**

1. The Localism Act 2011 amended the provisions set out in the Planning & Compulsory Purchase Act 2004. However, S111 maintains the requirement that a local authority must prepare and maintain a scheme to be known as their Local Development Scheme. The scheme should specify the local development documents which are to be development plan documents, the subject matter and geographical area for each development plan document, and the timetable for them. Essentially the Local Development Scheme (LDS) lists and programmes the

documents that will be produced by a Local Authority. Although there is no longer a requirement for this to be submitted to the Secretary of State new provisions in the Act state that the local planning authority must make the following available to the public:

- The up to date text of the scheme
- A copy of any amendments made to the scheme and
- Up to date information showing the state of the authority's compliance with the timetable set out in the scheme

2. The last Local Development Scheme was formally adopted by the Council in July 2013. This set out the proposed programme for the preparation of a single document – the Epping Forest Local Plan to provide a framework for the future development of the district and include strategic vision and policies for the period up to 2031. The Plan will also contain site allocations and development management policies. There is no longer a requirement for the Local Development Scheme to list any proposed supplementary planning documents or the statement of community involvement.

3. Since the publication of the Local Development Scheme in July 2013 the Council has made good progress in developing the evidence base and the development of reasonable alternative options for testing. However the publication of new population projections and census data has led to a need to update our Strategic Housing Market Assessment in order to identify our objectively assessed housing need in accordance with national guidance. This is being commissioned in conjunction with other authorities within our housing market area and has led to some delay. Further consultation on the draft plan is scheduled to take place in the Spring of 2015. It is proposed that the appended scheme is agreed, and would supersede the earlier Local Development Scheme with the preparation of the single district wide local plan scheduled for submission to the Secretary of State for potential examination, in the Autumn of 2016.

#### Local Plan Progress

4. In order for the Local Plan to be found sound at Examination, any proposals must be founded on a sound evidence base. The compilation of the evidence base has progressed largely as anticipated within the current LDS, though it became apparent, as a result of observation of the experiences of other councils taking Local Plans through Examination in Public, that evidence on the economy of the district was partial and in some respects dated, and did not fully take into account the emerging understanding of the Duty to Co-operate. An economic study has therefore been commissioned which will serve the additional purpose of supporting the Council's emerging Economic Development Strategy.

5. The other significant piece of evidence not allowed for in the 2013 report was the requirement in the NPPF for a viability assessment of the whole Local Plan. This work has also been commissioned and will progress alongside the emerging options for the plan, so that their viability can be assessed and will also inform proposals to introduce the Community Infrastructure Levy

6. Members have requested an update of the Strategic Housing Market Assessment to take account of the latest demographic forecasts, and it is likely that this will be paid for jointly by Harlow, East Herts and EFDC, though covering the housing market area including Uttlesford. This is because Uttlesford have indicated

an unwillingness to update the SHMA in the short term. A joint brief has been agreed for this piece of work which is due to commence shortly.

7. As Members may also be aware, sustainability appraisal is an important part of plan making. When the Council's consultants were initially appointed it was envisaged that they would take on the role of "critical friend", with the bulk of the work being carried out by Policy Team members. However, recent staff turnover in the team (see section on Staffing below) indicates that it would be prudent to allow sufficient funding for the consultants to take a more active role over the next year and this has been allowed for in the figures reported under the resources section of this report.

8. Allowance is also made for specialist legal and communications support, as well as for the continuation of the contract for Fortismere Associates as project management consultants.

### Staffing

9. As part of the restructuring of the Council, and in the light of three recent staff resignations and the impending return from maternity leave of two key members of staff, a restructure of the team is being carried out to improve resilience and align resources with future requirements. This is being contained within the existing salaries envelope. This will result in the consolidation of the three temporary posts previously funded from the DDF.

10. However, now that the return to work dates of the two staff on maternity leave are known, there is a need to enable a smooth handover and to ensure that adequate interim resources are in place during the period when recruitment to the restructured team is taking place.

### **Resource Implications:**

Local Plan 2014/15 Expenditure to 31/05/14, commitments and additional expenditure identified to the end of the Financial Year.

In the first three months of 2014/15 £40,554 has been spent, as follows:

<b>Item/Category</b>	<b>Spent</b>	<b>Notes</b>
North Weald Bassett Masterplanning	£19,443	Work undertaken by Allies Morrison
Strategic Flood Risk Assessment level 2	£11,597	Work in progress
Project management	£5,966	Fortismere Associates
Other Evidence base work	£3,047	Includes ongoing work on the Sustainability Appraisal, Call for Sites update and economic work
Legal advice	£500	
<b>TOTAL</b>	<b>£40,554</b>	

Funding for the rest of 2014/15 is required to complete or carry out additional work as follows:

Item/Category	Cost	Notes
To complete Economic Study	£40,000	£10,000 was allocated to this in the 2013 budget, but the more detailed study now required will cost just under £50,000, so there is a £40,000 shortfall
To complete North Weald Bassett Masterplan	£34,995	This would replace the amount borrowed from the consultation budget.
To complete Plan Viability Study	£24,000	There is currently £94,000 in the agreed budget for Community Infrastructure Levy, including Schedule / Plan Viability evidence, project management, consultants and Examination. The Viability Study will consider the feasibility of CIL and a potential charging schedule, so it is appropriate to pay for this study out of the CIL 'pot'
Update of Strategic Housing Market Assessment (SHMA) and separate SHMA Viability study	£20,000	The Council is working with 3 adjacent local authorities which are its SHMA partners, and will commission an updated SHMA shortly. It is estimated that the updated SHMA and the updated SHMA Viability Study could cost approx. £40,000, and it is expected that Council may have to meet half of this cost: £20,000.
Further transport modelling	£10,000	It will be necessary to carry out further 'runs' of transport modelling to inform the choice of spatial options for the Local Plan
Further iterations of the Strategic Land Availability Assessment	£12,000	It is necessary to keep updating the SLAA as new sites are submitted for consideration by owners and agents
Further work on the Strategic Flood Risk Assessment (site by site basis)	£12,000	It will be necessary to keep updating the SFRA to take assess flood risk on/relating to new sites identified through updates of the SLAA
Further work on Sustainability Appraisal and Habitat Regulations Assessment	£16,000	This is based on an estimate from the current consultants URS who have provided an estimate for undertaking the SA report for the Draft Plan (including Strategic SA with Harlow/East Herts) and for undertaking the HRA.
Consultancy support including Legal, Communications	£20,000	£10,000 for Legal and £10,000 for drafting support plus support for communications.
<b>TOTAL</b>	<b>£188,995</b>	

The Cabinet is due to consider both its Revenue and Capital Outturn reports for 2013/14 elsewhere on the Agenda. Contained with the Revenue Outturn are details of the DDF expenditure allocated for the production of the Local Plan. Expenditure in 2013/14 was £297,000 leaving an underspend of £103,000, which is recommended to be carried forward. If agreed, this underspend combined with the 2014/15 estimate of £321,000, will provide some £424,000 of revenue for further work on the Local

Plan. It can therefore be seen that there is likely to be adequate resource, not only to complete the technical evidence base, but also to extend the external agency and project management resource, to compensate for the staffing difficulties currently being experienced.

**Legal and Governance Implications:**

The Council is obliged to publish and maintain a Local Development Scheme. Approval of a revised document will fulfil this obligation.

**Safer, Cleaner and Greener Implications:**

The delivery of a Local Plan, informed by a robust evidence base, will contribute to safer, cleaner, greener objectives by planning for sustainable development.

**Consultation Undertaken:**

Management Board

**Background Papers:**

- Report to Cabinet 22 July 2013 Planning Budgets – Local Plan and Maternity Cover Ref C-008-2013/14
- Report to Cabinet 22 July 2013 Review of North Weald Airfield C-018b-2013/14
- Report to Cabinet 22 July 2013 re: LDS C-007-2013/14
- Report to Cabinet 11 June 2012 Local Plan Budget requirements 2012/13, 2013/14, and 2014/15 Ref C-006-2012/13

**Risk Management:**

Preparation of the Local Plan is a key priority for the Council and it is important that the published project plan is kept up to date to inform all stakeholders, and that the project is adequately resourced.