



CABINET: 22 February 2017

Report of: Director of Development and Regeneration

Relevant Portfolio Holder: Councillor J Hodson

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**SUBJECT: LOCAL PLAN REVIEW – SCOPING AND ISSUES & OPTIONS
CONSULTATION**

Wards affected: Borough wide

1.0 PURPOSE OF THE REPORT

1.1 To seek authorisation to publicly consult on the Scope of a new Local Plan and on the Local Plan Review: Issues & Options Topic Papers.

2.0 RECOMMENDATIONS TO CABINET

2.1 That regard is had to the Minutes of the Local Plan Cabinet Working Group meetings of 18 October 2016, 7 December 2016 and 19 January 2017 (provided at Appendices A-C); to the Scoping Consultation Feedback Report and the responses received to the Scoping Consultation (provided at Appendix D); to the Sustainability Appraisal and Habitat Regulations Assessment of the Issues & Options Paper (provided at Appendices E and F); and to the Duty to Co-operate Statement (provided at Appendix G).

2.2 That the Local Plan Review: Issues & Options Topic Papers (provided at Appendix H-L) be approved for public consultation and that comments on the Scope of a new Local Plan also be sought from the public alongside this public consultation.

3.0 BACKGROUND

- 3.1 Since Cabinet approved the Council's Local Development Scheme (which includes a timetable for the preparation of a new Local Plan) in September, officers have consulted with key stakeholders on the Scope of a new Local Plan, prepared a number of documents and reports which form part of the evidence that will inform the preparation of a new Local Plan and have prepared a series of Issues & Options Topic Papers (Appendices H-L), and their accompanying Sustainability Appraisal (SA) (Appendix E) and Habitat Regulations Assessment (HRA) (Appendix F), for public consultation.
- 3.2 The consultation with key stakeholders on the Scope of a new Local Plan took place in October 2016 and a summary of the responses received, together with the Council's consideration of those responses, is provided at Appendix D in the Scoping Consultation Feedback Report. The responses to the Scoping consultation with key stakeholders, together with the evidence studies that have been collated and prepared thus far, have all informed the Issues & Options Topic Papers.
- 3.3 In relation to the preparation of evidence, officers have been preparing the following evidence documents, all of which will be available in draft alongside the Issues & Options Topic Papers for information and comment during the public consultation:
- Liverpool City Region Strategic Housing and Employment Land Market Assessment (SHELMA) [it is anticipated a wider 4-week consultation on the draft report of this study will be held across the Liverpool City Region in April]
 - West Lancashire Strategic Housing and Employment Land Availability Assessment (SHELAA)
 - Infrastructure Delivery Plan (IDP)
 - Strategic Flood Risk Assessment (SFRA) Level 1
 - Sustainable Settlement Study
 - Thematic and Spatial Evidence Papers

Other evidence, on further topics, will be prepared in due course, but the above provides a good starting point and has provided key information to inform the Issues & Options Topic Papers.

- 3.4 Draft versions of these Issues & Options Topic Papers were considered by the Local Plan Cabinet Working Group on 7 December 2016 and 19 January 2017, and their comments can be seen in the Minutes of that meeting provided in Appendices B and C. Minutes of a previous meeting of the Cabinet Working Group (on 18 October 2016) are also available at Appendix A.
- 3.5 Finally, it is vital that the Council demonstrates that it has co-operated with neighbouring local planning authorities and other key organisations in the

preparation of a new Local Plan, in order to fulfil the Duty to Co-operate. The Duty to Co-operate is a legal requirement of Local Plan preparation that, if the Council are found not to have complied with, can mean that the Local Plan is rejected by a Local Plan Inspector at the first step in a Local Plan Examination, and the Council has to start its Local Plan preparation again. As such, it is vital that the Council provides evidence to show how it has fulfilled the Duty to Co-operate and so the Council will prepare a Duty to Co-operate Statement at each stage of Local Plan preparation to aid with this. The Duty to Co-operate Statement for this Issues & Options Stage is provided at Appendix G.

4.0 CURRENT POSITION

- 4.1 Having undertaken the work outlined above, and taken on-board feedback from the Local Plan Cabinet Working Group, a series of Issues & Options Topic Papers have now been finalised with a view to publicly consulting on the Issues & Options for a new Local Plan. These Topic Papers mark the first public step in the preparation of a new Local Plan, as the Council asks all interested parties for their input at the very early stages of Local Plan preparation. In order to avoid consultation fatigue, it is proposed that there will be two simultaneous, and linked, consultations: one on the general scope of a Local Plan Review and one on the Issues & Options Paper.
- 4.2 While a Scoping consultation has already taken place, this was restricted to key stakeholders, but it helped identify all the key matters that should be covered in the Issues & Options Consultation. However, the Council's Statement of Community Involvement requires the Scoping consultation to be with the wider public as well. Officers were concerned about creating a sense of consultation fatigue very early on in the preparation of the Local Plan by having two very similar public consultations so close together. As such, it is recommended that a Scoping consultation is held alongside the Issues & Options consultation.
- 4.3 Both consultations will be very open in the way they invite interested parties to respond, but there will be a little more structure and direction with the Issues & Options Consultation due to a series of questions placed throughout the Topic Papers which invite a response to a particular matter. There will be an option to respond to the Issues & Options Consultation by essentially undertaking a survey answering these questions. However, both consultations will allow more general comments to be submitted as well.
- 4.4 There are five Issues & Options Topic Papers to be published for the consultation:
 - A Strategic Development Options Paper – Proposes a draft Vision and Objectives for the Local Plan and considers the options for:
 - How much new housing and employment land development will be required each year;
 - What period of time the Local Plan should cover;
 - Scenarios on how new development should be spread across the Borough;
 - Options for the types of locations that new development could be focused in; and

- Consideration of the infrastructure that would be required to support new development.
- An Economic Policy Options Paper – Proposes policy options for various planning considerations in relation to “Stimulating Economic Growth” (focusing on provision of employment land) and “Reinvigorating Town and Village Centres”.
- An Environmental Policy Options Paper – Considers policy options on planning matters relating to “Managing the Natural Environment”, “Addressing Climate Change” and “Designing the Built Environment”.
- A Social Policy Options Paper – Addresses a variety of policy options on subjects such as affordable housing, issues related to an ageing population, provision of student accommodation and more specialist provision for groups such as Travellers.
- A Spatial Portrait Paper – While not proposing any options itself, this Paper provides a key summary of the planning-related issues that West Lancashire faces and so presents the basis for the other Topic Papers and gives a greater understanding of the Borough, which will be crucial to addressing specific issues in each part of the Borough in the best way for that area.

4.5 By having a series of individual Topic Papers in this way, it is hoped that members of the public will be more likely to at least look at part of the Issues & options consultation and offer comments on the issues that interest them, and so each Topic Paper can be read in isolation (with a “What Happens Next?” section at the end to direct people on how to make comments on what they have read and various Question boxes throughout the Paper to stimulate comments on particular issues or options) or as one large document with the other Topic Papers. Likewise, the webpages for the consultation will be designed to enable interested parties to jump to their area of interest and only comment on that if they wish, but we hope respondents will comment on a range of issues and options by completing the full survey or making written representations.

4.6 It should also be noted that, while at this stage the Council is not discussing specific sites where development might be allocated, the Issues & Options Consultation, together with the publication of the draft Strategic Housing and Employment Land Availability Assessment (SHELAA), does start the ball rolling in respect of site allocations by asking interested parties to submit as much information as possible in relation to any sites that they wish to draw to the Council’s attention as having potential for allocation in the Local Plan. Given that the matter of deliverability is so important in planning now, under the NPPF and particularly in relation to the calculation of a five year housing land supply, the more information the Council has to help assess a site, the more likely that the sites we allocate will ultimately come forward for development in a timely fashion.

5.0 NEXT STEPS

- 5.1 Should Cabinet approve the public consultation on the Scope of the Local Plan Review and the Issues & Options Consultation, the consultation will take place over six weeks from Thursday 16th March to 28th April 2017 (subject to any call-in of the Cabinet's decision on this item).
- 5.2 As ever with Local Plan consultations, the core of the consultation has to be submitted written representations, either as an email or a letter and either as a general comment (on the scope or on the issues & options) or by a response to a survey / questionnaire. Respondents have to provide their name and address (responses cannot be anonymous), although an individual's address and any other contact details will of course be kept private in line with data protection requirements.
- 5.3 To support this written consultation process, the Council will promote both consultation processes and particularly seek to disseminate information on the content of the Issues & Options Consultation in a variety of ways:
- A dedicated set of Local Plan webpages on the Council's website to make the information about the Issues & Options as accessible as possible, and to make it easy to respond to the consultation
 - A Wrap-around Advertisement on the Champion Newspaper as the consultation period starts
 - Letters / Emails to all contacts on the Local Plan consultation database
 - Briefing / Workshop for All Council Members and for Parish Councils
 - Up to 6 Forum events (depending on demand) in different venues across the Borough, where attendees will be able to engage in discussion with each other and Council officers on the Issues & Options
 - A House Builders Forum
 - A Business Forum
 - Engagement with school-age young people
 - Engagement with student population at Edge Hill University and West Lancs College
- 5.4 Following the consultation period, officers will collate the written responses received and consider the issues and suggestions they raise as a Preferred Options Local Plan document is prepared (essentially a draft Local Plan, complete with proposals for site allocations). A key part of the preparation of the Preferred Options will therefore be an assessment of the various site options submitted for the Council's consideration with a view to allocating sufficient sites to meet whichever strategic development option is ultimately selected by the Council.

6.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

- 6.1 Although the decision being considered in this report only relates to a public consultation exercise, it is part of the wider preparation of a new Local Plan and the Local Plan will have very definite implications for sustainability and for the delivery of the objectives of the Community Strategy, hopefully (overall) positive implications. However, at this early stage in the preparation of the Local Plan, it is impossible to identify what the precise implications will be. The Sustainability Appraisal of the Issues & Options (see Appendix E) does provide an indication of the sustainability implications of the various options being considered.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

- 7.1 The costs and resources associated with the public consultation exercise required for the Issues & Options consultation are covered by the Development and Regeneration Service's revenue budgets and no additional costs are expected to be incurred.

8.0 RISK ASSESSMENT

- 8.1 Given that the decision being considered only relates to whether the Council should publicly consult on the Scope of a Local Plan Review and the Issues & Options Topic Papers, there is minimal risk to the Council related to this decision, but the wider preparation of a Local Plan does carry some risks, be that related to the costs of abortive work if the Local Plan is ultimately found unsound or not legally compliant or related to the image of the Council should any proposals within the Local Plan prove unpopular.
- 8.2 However, the undertaking of public consultation such as the Scoping and the Issues & Options consultations minimises those risks due to the fact that carrying out such consultation ensures legal requirements are being met and that a robust Local Plan is being prepared and it ensures that all interested parties are being given an opportunity to make known their views to the Council for the Council to consider them in the preparation of the Local Plan. While the latter mitigation may not ultimately prevent those upset with particular proposals from expressing their dissatisfaction to the Council, the Council will be able to support the fact that they have given all interested parties a fair hearing.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

While the Issues & Options Topic Papers themselves do not have any direct impact on members of the public, employees, elected members and / or stakeholders, it is part of a wider process to prepare a Local Plan which will have a direct impact. In addition, the actual decision being made by Cabinet is whether to undertake a public consultation and so, again, there is an impact on the public and stakeholders. Therefore, an Equality Impact Assessment is required and is appended at Appendix M.

Appendices

Appendix A – Minutes of Local Plan Cabinet Working Group on 18 October 2016

Appendix B – Minutes of Local Plan Cabinet Working Group on 7 December 2016

Appendix C – Minutes of Local Plan Cabinet Working Group on 19 January 2017

Appendix D – Scoping Consultation Feedback Report

Appendix E – Sustainability Appraisal of the Issues & Options

Appendix F – Habitat Regulations Assessment of the Issues & Options

Appendix G – Duty to Co-operate Statement

Appendix H – Strategic Development Options Paper

Appendix I – Economic Policy Options Paper

Appendix J – Environmental Policy Options Paper

Appendix K – Social Policy Options Paper

Appendix L – Spatial Portrait Paper

Appendix M – Equality Impact Assessment