



REGENERATION AND ENVIRONMENT SCRUTINY COMMITTEE – 10TH DECEMBER 2013

SUBJECT: DELIVERY AGREEMENT FOR THE CAERPHILLY COUNTY BOROUGH LOCAL DEVELOPMENT PLAN (FIRST REVIEW)

REPORT BY: ACTING DEPUTY CHIEF EXECUTIVE

1. PURPOSE OF REPORT

- 1.1 To receive details of the responses from the public consultation on the Draft Delivery Agreement and to consider the ensuing officer recommendations on appropriate changes to create the final document.
- 1.2 To approve the final Delivery Agreement (DA) for the Local Development Plan First Review (LDP 1st Review) for submission to the Welsh Government (WG).

2. SUMMARY

- 2.1 The Council has a statutory duty to prepare and review a Local Development Plan (LDP) for its area to provide the policy framework for the development and use of the land within the County Borough. On 23 November 2010, the Council formally adopted its LDP and has since been monitoring the progress of the plan through its Annual Monitoring Report (AMR).
- 2.2 Following the recommendations of the 2013 AMR, the Council resolved on 8 October 2013 to roll forward the LDP to cover the plan period up to 2031 and to commence consultation on a revised Delivery Agreement.
- 2.3 The Delivery Agreement (DA) is a public statement that contains a timetable for LDP production (the local authority's project plan) and the Community Involvement Scheme (CIS), which sets out how and when stakeholders and the community can contribute to the review of the LDP.
- 2.4 This Report summarises the public responses to the Draft DA received during the six-week consultation period from 17 October 2013 to 28 November 2013, and includes officer recommendations to those responses for consideration.
- 2.5 In total, 3 representations were made on the Draft DA, 1 of which was a comment and 2 that sought amendments to the DA. None of the representations have resulted in amendments being proposed to the Delivery Agreement.
- 2.6 In accordance with the Development Plan Regulations, once approved by Council the DA must be formally submitted to WG for its approval. Once agreed, the DA commits the Council to produce the revised LDP according to the stated timescales and consultation processes outlined within it.

3. LINKS TO STRATEGY

- 3.1 Strategic Equality Plan SEO 4 and 5 - Communication Access / Engagement and Participation.
- 3.2 When finalised the DA will determine the new framework for preparation of the Local Development Plan (LDP) first review, which is the statutory framework for the development and use of land in the county borough.

4. THE REPORT

- 4.1 On the 8 October 2013, the Council resolved to roll forward the Adopted Caerphilly County Borough Local Development Plan (LDP) to cover the plan period up to 2031.
- 4.2 As part of the review process there is also a need to revise the Delivery Agreement. The Delivery Agreement (DA) is a public statement that contains a timetable for LDP production (the local authority's project plan) and the Community Involvement Scheme (CIS), which sets out how and when stakeholders and the community can contribute to review of the LDP.
- 4.3 Council therefore also resolved on 8 October 2013, to commence consultation on the Draft DA for the LDP (1st Review), in order to ensure that stakeholders were satisfied with the proposed methods of community engagement and the associated timescales for the review.
- 4.4 The draft version of the DA was subject to a public consultation exercise that began on the 17 October 2013 for a six week period, ending on the 28 November 2013.
- 4.5 The details of the responses received are outlined in the Report of Public Consultation attached at Appendix 1. In summary, the Council received 3 responses relevant to the DA out of 3531 individuals, community groups, organisations, landowners, businesses and other stakeholders consulted. Of all representations received, 1 was a comment and 2 comments sought changes to the DA. No representations have resulted in amendments being proposed to the Draft DA.
- 4.6 The main point of concern raised relates to the overall timescale proposed for the review. However given the statutory procedures associated with the process, the finite resources available to progress the work and the sheer volume of work required, it is the officer's contention that the timescale is appropriate.
- 4.7 The Delivery Agreement attached as Appendix 2, has been prepared on the basis of the officer recommendations contained in the Report of Public Consultation and its approval is now sought.
- 4.8 In accordance with the Development Plan Regulations, the DA must be formally approved by Council and then submitted to the Welsh Government for its formal approval. Once agreed, the Delivery Agreement commits the Council to produce the LDP (First review) according to the stated timescales and consultation processes outlined within it.

5. EQUALITIES IMPLICATIONS

- 5.1 The DA has had full regard for the Citizens Engagement Strategy and the Equalities Strategy of the Council.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no new financial implications.

7. PERSONNEL IMPLICATIONS

7.1 None

8. CONSULTATIONS

8.1 No responses were received that required incorporation into this report.

9. RECOMMENDATIONS

9.1 To note the findings contained in the Report of Consultation.

9.2 To recommend that the amended DA (as attached in Appendix 2) be referred to Cabinet for consideration and Council for approval.

9.3 To note that the amended DA is to be submitted to Welsh Government, upon approval, as required by the Development Plan Regulations.

10. REASONS FOR THE RECOMMENDATIONS

10.1 In order to progress the preparation on the LDP 1st Review.

10.2 In order to progress the preparation on the LDP 1st Review.

10.3 In order to progress the preparation on the LDP 1st Review and in order to comply with the LDP regulations.

11. STATUTORY POWER

11.1 The Planning and Compulsory Purchase Act 2004. This is a Cabinet function, other than the approval of the Delivery Agreement, which requires a recommendation for approval to the Council.

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Sandra Aspinall Acting Deputy Chief Executive
Gail Williams Principal Solicitor (Monitoring Officer)
Members of the LDP Focus Group (See Appendix 3)

Appendices:

Appendix 1 Report of Public Consultation on the Draft Delivery Agreement
Appendix 2 The Delivery Agreement
Appendix 3 LDP Focus Group