



COUNCIL – 1ST JUNE 2021

**SUBJECT: 2ND REPLACEMENT CAERPHILLY COUNTY BOROUGH
LOCAL DEVELOPMENT PLAN UP TO 2035 – DELIVERY
AGREEMENT**

**REPORT BY: CORPORATE DIRECTOR FOR ECONOMY AND
ENVIRONMENT**

1. PURPOSE OF REPORT

- 1.1 To report to Council the outcome of the 2nd Replacement Caerphilly County Borough Local Development Plan up to 2035 Draft Delivery Agreement public consultation exercise.
- 1.2 To seek Council approval of the final Delivery Agreement.
- 1.3 To seek Council agreement to submit the Delivery Agreement to Welsh Government by the end of June 2021 for its approval.

2. SUMMARY

- 2.1 The Council resolved to commence a full revision of the Caerphilly County Borough Local Development Plan up to 2021 (Adopted LDP) at the Council meeting held on 23 October 2019.
- 2.2 The first stage in the preparation of the 2nd Replacement Caerphilly County Borough Local Development Plan up to 2035 (2RLDP) is to prepare a Delivery Agreement (DA) which includes:
 - The timetable for the delivery of the 2RLDP;
 - The Community Involvement Scheme (CIS) – which sets out who will be consulted and when.
- 2.3 On 19 January 2021, Council agreed a nine-week public consultation on the Draft DA, which commenced on Monday 25th January 2021 and concluded Monday 29th March 2021.
- 2.4 In total, 23 responses were received during the public consultation period.
- 2.5 A Report of Consultation has been prepared that addresses the responses to the Draft DA. The Report considers the issues that have been raised, provides officer

responses to those issues and makes recommendations on the proposed course of action. The Report of Consultation is included as Appendix 1 to this report.

- 2.6 A final DA has been prepared to reflect the responses received and this is included as Appendix 2 to this report.
- 2.7 Council approval of the final DA is sought along with agreement to submit the DA to Welsh Government.

3. RECOMMENDATIONS

- 3.1 That Council approves the final DA and agrees for its submission to Welsh Government.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To comply with the requirements of Regulation 9 of the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended).

5. THE REPORT

Background

- 5.1 Members will be aware that the Council resolved to commence a full revision of the Adopted LDP at the meeting on 23rd October 2019. The preparation of a new plan is a time and resource intensive exercise and Welsh Government guidance requires plans to be prepared within three and a half years from commencement, with the option of a single slippage period of three months.
- 5.2 The Council is required to prepare a DA as part of the 2RLDP that sets out the timetable for delivery and identifies who will be involved and when they will be involved in the process.
- 5.3 The DA forms an important and legal part of the 2RLDP preparation process. Delivery of the 2RLDP in accordance with the DA will be an important test of the 'soundness' of the Plan. Both the content of the DA and the way in which the Council implements it are, therefore, fundamental to the overall success of the 2RLDP.
- 5.4 The Draft DA is required to be the subject of consultation and Members will recall that Council gave approval to consult on the Draft DA for consultation for six weeks, commencing March 2020. However, due to the unprecedented circumstances surrounding COVID-19, that consultation was cancelled.
- 5.5 A revised Draft DA was produced and, to reflect recent Covid-19 restrictions and allow more time for engagement with the process, the Draft DA was the subject of public consultation which commenced on Monday 25th January 2021 and concluded Monday 29th March 2021.

Public Consultation

- 5.6 The public consultation was publicised in the following way:

- Leaflets were delivered to every house within Caerphilly county borough.
- Letters or emails were sent directly to approximately 400 stakeholders, including Elected Members, Public Service Board partners, planning consultants, housebuilders and other organisations.
- The Council's Communications Team sent three Gov Delivery email bulletins – 27,782 emails were opened and there were 681 unique opens of LDP consultation news stories.
- The consultation was advertised by three posts on the Council's Facebook page with a reach of 36,569 people.
- All Draft DA information, including an online representation form, was published on the Council's website. There were 9908 views on LDP pages, of which 864 clicked on the LDP consultation page.

5.7 At the end of the consultation period, 23 responses had been received from members of the public and external organisations. A Report of Consultation has been prepared and the DA has been amended to reflect any comments where appropriate.

Summary of Responses

- 5.8 Of the representations received, 2 respondents completed the Draft DA Response form but made no comments in respect of the Draft DA. These respondents will be treated as though they have registered their interest in the 2RLDP process and will be added to the database accordingly.
- 5.9 A number of comments received related to land-use issues that will be considered later, as part of the 2RLDP process.
- 5.10 The Future Generations Commissioner for Wales lists a number of resources and tools to assist in ensuring that the 2RLDP aligns with the Well-being of Future Generations Act and contributes to the seven well-being goals and well-being objectives. These will all be considered and utilised throughout the 2RLDP process.
- 5.11 Newport City Council recognises that Caerphilly County Borough Council's 2RLDP is on a similar timescale to its own Replacement LDP. It notes that cross boundary work is already taking place between local authorities and welcomes the continuation of a joint approach to the evidence base.
- 5.12 The list of Consultation Bodies has been updated as a result of the consultation.
- 5.13 Typographical errors have also been amended.

Conclusion

- 5.14 Council agreed to a full review of the Adopted LDP in October 2019.
- 5.15 A Draft DA was produced and subject to a nine-week public consultation in a manner that adhered to COVID-19 Regulations and guidelines.

- 5.16 23 responses were received during the public consultation and a final DA has been produced to reflect those responses. A Report of Consultation has also been prepared detailing the responses received.
- 5.17 Approval is sought to submit the DA to Welsh Government for its approval.
- 5.18 Welsh Government will have four weeks from the date of submission to consider the DA and to issue its decision. The approval of the DA by Welsh Government will mark the formal start of the period for preparing the 2RLDP.

6. ASSUMPTIONS

- 6.1 No assumptions have been made in this report.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 The DA contains the timetable for preparation of the 2RLDP and the Community Involvement Scheme which sets out how the Council proposes to engage with and involve the local community and other stakeholders in the 2RLDP preparation process.
- 7.2 The CIS will have a positive impact on many protected characteristics as it outlines how the Council will actively engage with members of the public, including hard to reach groups. A number of organisations and bodies representing hard to reach groups were contacted directly.
- 7.3 The DA itself does not support the Corporate Well-being objectives. However, the emerging 2RLDP will be prepared with regard to the well-being objectives where they relate to land use planning. The DA and emerging 2RLDP will maximise contributions to the Well-being of Future Generations (Wales) Act 2015 7 well-being goals and 5 ways of working. The DA itself supports the Council in meeting its duty under the Act, particularly the involvement and collaboration principles.
- 7.4 The DA delivers against a number of other Council policies including:
- Caerphilly County Borough Local Development Plan up to 2021, Adopted 2010.
 - Corporate Plan 2018-2023.
 - Local Well-being Plan for 2018-2023 'The Caerphilly We Want'.
 - A Foundation for Success 2018 – 2023.
- 7.5 The DA public consultation was held during the Covid-19 pandemic and therefore the period for consultation was extended to 9 weeks to allow more time for engagement. As well as publicising widely on the Council's website and via social media, letters and e mails were sent to almost 400 people directly, and leaflets were distributed to every household within the county borough to ensure as many people as possible were reached.
- 7.6 The DA allows opportunities for people to use the Welsh language and it aims to ensure that the Welsh language is treated no less favourably than the English language, and bilingual engagement is encouraged. All documentation was available in welsh format and all publicity was produced bilingually.

Link to full Integrated Impact Assessment

https://www.caerphilly.gov.uk/CaerphillyDocs/IIA/IIA_LDP_Mar2021

8. FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications directly arising from the report.
- 8.2 The Council resolved in October 2019 that budgetary provision be made available where necessary to fund the preparation of the 2nd Replacement Local Development Plan.

9. PERSONNEL IMPLICATIONS

- 9.1 There are no personnel implications arising as a result of this report.

10. CONSULTATIONS

- 10.1 All responses from consultees have been incorporated into the report.

11. STATUTORY POWER

- 11.1 The Town and Country Planning Act 1990 (as amended) and the Planning and Compulsory Purchase Act 2004 require the Council to prepare and keep under review the LDP for the County Borough to act as a single framework for the control and use of land within its administrative boundary.
- 11.2 The Local Government Act 1998. The Local Government Act 2003. The Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended). The Planning (Wales) Act 2015.

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Consultees: Cllr Sean Morgan, Deputy Leader and Cabinet Member for Economy and Enterprise
Cllr Roy Saralis, Chair of Planning Committee
Cllr Andrew Whitcombe, Chair of Housing and Regeneration Scrutiny Committee
Cllr Christine Forehead, Vice-Chair of Housing and Regeneration Scrutiny Committee
Christina Harray, Chief Executive
Mark S Williams, Corporate Director for Economy and Environment
Steve Harris, Head of Financial Services and Section 151 Officer
Robert Tranter, Head of Legal Services & Monitoring Officer
Keri Cole, Chief Education Officer
Sue Richards, Head of Education Planning & Strategy
Lynne Donovan, Head of People Services
Rhian Kyte, Head of Regeneration and Planning
Marcus Lloyd, Head of Infrastructure
Rob Hartshorn, Head of Public Protection, Community and Leisure Services
Mark Williams, Interim Head of Property Services
Shaun Couzens, Chief Housing Officer
Kath Peters, Corporate Policy Manager

Anwen Cullinane, Senior Policy Officer, Equalities, Welsh Language and
Consultation
Ryan Thomas, Planning Services Manager
Dave Lucas, Team Leader, Strategic Planning

Appendices:

Appendix 1 – Report of Consultation

Appendix 2 – 2nd Replacement Caerphilly County Borough Local Development Plan up to
2035 - Delivery Agreement, April 2021