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| PART B: | RECOMMENDATIONS TO COUNCIL |
| REPORT TO: | POLICY AND RESOURCES COMMITTEE |
| DATE: | 1 APRIL 2010 |
| REPORT OF THE: | HEAD OF PLANNING GARY HOUSDEN |
| TITLE OF REPORT: | RYEDALE LOCAL DEVELOPMENT SCHEME |
| WARDS AFFECTED: | ALL |

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 For Members to agree amendments to the Local Development Scheme.

2.0 RECOMMENDATION

2.1 That Council is recommended to approve the proposed revisions to the Local Development Scheme outlined in Sections 8.9, 8.11 and 8.12 of this report.

3.0 REASON FOR RECOMMENDATION

3.1 Local Development Documents need to be produced in accordance with key milestones set out in the Local Development Scheme (LDS). The current Local Development Scheme is out of date and requires amendment in order to support the progress of the Core Strategy.

4.0 SIGNIFICANT RISKS

4.1 The Core Strategy is likely to fail legal/compliance tests at an examination if revisions to the Local Development Scheme are not agreed.

4.2 The proposed revisions to production milestones are ambitious. The scale of consultation responses, the date of the General Election, emerging new Government Guidance and any additional demands on the resources of the team are likely to impact upon the extent to which the proposed milestones are achieved. The main body of the report suggests that the next consultation should take the form of consultation on the full draft of the Core Strategy as a means of mitigating the risk of further longer- term delay to the production of the document.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 Members are aware that the Local Development Scheme is the three-year, rolling project plan for the Local Development Framework.
- 5.2 The current Local Development Scheme was agreed with the Government Office early last year. It looks to progress the production of three main Development Plan Documents (DPD's) against the following milestones:

| | Sustainability Appraisal Scoping Consultation | Initial Consultation | Publication | Submission | Adoption |
|------------------------------|---|----------------------------------|-----------------|-----------------|-----------------|
| Core Strategy DPD | April/May 2009 | Carried forward from earlier LDS | Nov/Dec 2009 | May 2010 | Jan 2011 |
| Facilitating Development DPD | April/May 2009 | June/July 2009 | Jan/ Feb 2011 | August 2011 | May 2012 |
| Helmsley DPD | April/May 2009 | June/July 2009 | To be Confirmed | To be Confirmed | To be Confirmed |

- 5.3 Whilst the Council achieved the above milestones relating to the Scoping consultation and initial consultation, the Core Strategy was not published at the end of last year. This was largely the result of:
- The scale of consultation responses received following the Summer 2009 consultation
 - A need to undertake additional technical work that had not previously been anticipated
 - Complexities of the technical evidence base. In particular, the Strategic Transport Assessment for Malton and Norton

6.0 POLICY CONTEXT

- 6.1 Production of the Local Development Framework is a clear priority for the Council. A revised Local Development Scheme must be agreed with the Government Office in order to enable the Core Strategy to proceed through the remaining stages of its production in order to satisfy legal compliance tests at an examination.

7.0 CONSULTATION

- 7.1 Any revisions to the Local Development Scheme will need to be agreed with the Government Office before a revised scheme is published.

8.0 REPORT DETAILS

Proposed revisions to Core Strategy milestones

- 8.1 Members are aware that changes to the Development Plan system in 2008 removed the explicit requirement to undertake a formal Preferred Options consultation. This was reflected in the current LDS milestones. However, emerging practise and advice from the Government Office is that Authorities should undertake some form of additional public consultation prior to the formal publication of the Strategy. From

experience to date, the risk of not following emerging practise and undertaking another episode of public consultation prior to publication would be too great.

- 8.2 Clearly, the need to prepare further consultation material and undertake a period of consultation will influence how quickly the Core Strategy can be prepared for publication. The forthcoming election will also 'dictate' the timing of the next consultation and consequently, the publication of the document. Officers are confident that the evidence base required to support the next stages, will be completed to support progress. Members are aware that the key piece of outstanding technical work is the Viability Study. It is anticipated that this will be completed during April following specific consultation with representatives of the housing industry on the 23rd March 2010.
- 8.3 Officers are keen to minimise delay to the original, target adoption date. (January 2011). Taking account of the submission/ examination timetable that the Planning Inspectorate work within and the work required between the publication and submission of the document, it is anticipated that the Core Strategy would need to be published in July of this year in order to allow for an adoption date of May 2011.
- 8.4 Assuming a May General Election date, undertaking a period of consultation (normally six weeks) and publishing the Core Strategy within the period May – July is very tight, although not impossible.
- 8.5 The nature and style of the next consultation stage may well prove critical as a means of mitigating the risk of overall delay to progress of the Core Strategy. Officers had originally intended that the next consultation would focus on the key decisions that have been made and the reasons for these. However, given delays to the completion of technical evidence, undertaking a 'preferred options' style consultation would not represent the most efficient use of the time available. Officers would need to resource the drafting of the document, analyse consultation responses and draft the detailed Core Strategy.
- 8.6 As an alternative, Officers believe that there is considerable merit in consulting on a draft version of the Core Strategy before the document is formally published. There are a number of advantages to this. Stakeholders will be able to read the draft document as a whole and comment on its detail as well as key policy choices. Consultation responses can be used to refine and change the document in advance of its formal publication. This is likely to result in fewer responses/ objections being carried forward to the examination. Undertaking the next consultation in this way also means that officer time can be focussed on producing an actual draft of the Core Strategy as opposed to another, more general consultation document.
- 8.7 In order to publish the Core Strategy in July, consultation would need to take place in May and the responses will need to be reported to Members at the same as the publication version of the Core Strategy is agreed. It should be noted that if the General Election date is announced for June, then a July publication date would not be achievable.
- 8.8 Clearly however, it is important that momentum is maintained and that a revised Local Development Scheme is agreed with the Government Office as soon as possible. Therefore, whilst there is current uncertainty over the general election date, it is considered that it would be appropriate to proceed on the assumption of a May date for the General Election.

8.9 The proposed revised LDS milestones for the Core Strategy are:

Publication: July 2010

Submission for Examination: November 2010

Adoption: May 2011

Other Development Plan Documents

8.10 Delays to the production of the Core Strategy have also had a knock on effect on the timetable for the delivery of the Facilitating Development Document, as the team's resources are focussed on the work required to progress the Core Strategy. Although the Summer 2009 consultation represented the first stage of site-specific consultation, a considerable body of work is required to assess the merits of individual sites, before Members are able to agree preferred sites. This includes discussions with landowners regarding site-specific viability, detailed transport modelling and constraint information gathering.

8.11 Taking the account of the delays experienced with the Core Strategy and the experience of other authorities who have made some progress with site allocations documents it is considered that the production milestones should be rolled forward by at least nine months. The proposed, revised milestones for the site allocation document would then be as follows:

Publication: November 2011

Submission: May 2012

Adoption: November 2012

8.12 Revisions to the Local Development Scheme provide the opportunity to rename the Facilitating Development Document. Whilst this document was always going to include new land allocations it was given the title in order that some flexibility over its content could be maintained. However, the scope and content of the Core Strategy is now clearer and on this basis it is considered that the document should be renamed 'Sites Document'.

9.0 IMPLICATIONS

9.1 The following implications have been identified:

a) Financial

The Service budget and the additional resources agreed for the LDF will cover the cost of the publication of the Core Strategy and includes provision towards examination costs.

b) Legal

The Council is required to produce a Local Development Scheme and to produce documents in accordance with it.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)

No direct implications

10.0 Next Steps

10.1 The proposed changes will be included in a revised Local Development Scheme and

forwarded to the Government Office for their consideration/agreement.

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Background Papers:
Ryedale Local Development Scheme (2009)

Background Papers are available for inspection at:
www.ryedale.gov.uk