

CABINET

12 January 2023

RUTLAND LOCAL PLAN – UPDATE AND ISSUES & OPTIONS CONSULTATION OUTPUTS

Report of the Portfolio Holder for Planning, Highways and Transport

Strategic Aim:	A Special Place	
Key Decision: No	Forward Plan Reference: FP/111122	
Exempt Information	No	
Cabinet Member(s) Responsible:	Councillor Rosemary Powell - Portfolio Holder for Planning, Highways and Transport	
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Ward Councillors	All	

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the revised timetable for the preparation of the Local Plan, to be incorporated into the Local Development Scheme, as set out in Appendix 1 to this report.
2. Notes the summary outcome of the Local Plan Issues and Options public consultation.
3. Notes the position on the budget and the action required.

1 PURPOSE OF THE REPORT

- 1.1 This report seeks approval of Cabinet to the timetable for the production of the Local Plan. It also seeks to advise Cabinet of the outcome of the public consultation undertaken on the Local Plan Issues and Options report as well as providing an update on the budget provision.

2 BACKGROUND AND MAIN CONSIDERATIONS

- 2.1 Cabinet in April 2021 approved the Local Plan Issues and Options report for the purposes of public consultation. It also approved an updated Local Development Scheme which sets out the programme for the Local Plan as well as minor revisions to the Statement of Community Involvement which provides the framework for public engagement in planning matters.
- 2.2 Some minor changes are proposed for the Local Development Scheme which in effect would delay the next stage of public consultation (the “Preferred Options” Local Plan) for approximately 3 months. These changes reflect the delay in starting and the extension of the consultation period on the Issues and Options, takes account of purdah, and the potential requirement to brief newly elected members following Local Government elections in May 2023.
- 2.3 The proposed update to the timetable is set out in Appendix 1. If approved by Cabinet this will replace the appendix to the current adopted Local Development Scheme.
- 2.4 Public consultation on the Issues and Options report was undertaken between 30 June to 30 September 2022 in line with the Statement of Community Involvement.
- 2.5 The headline data from the consultation includes:
 - 2.5.1 Local Plan radio advertising reached an audience of 2,400+ listeners across two local broadcast platform.
 - 2.5.2 Paid Facebook advertising reach of 12,296 Facebook users, resulting in 706 link clicks (Average Cost Per Click: 21p);
 - 2.5.3 1,851 visitors to Local Plan Issues & Options information on the RCC corporate website;
 - 2.5.4 1,221 visitors to Local Plan Issues & Options online consultation platform;
 - 2.5.5 350+ people engaged at eight in-person information events held around the country.
 - 2.5.6 Presentation to the Rutland Parish Forum;
 - 2.5.7 320 consultation registrations (number of people who registered to use the Issues & Options online platform);
 - 2.5.8 178 active users (the number of people who started or completed the Issues & Options consultation);
 - 2.5.9 3,370 representations (the total number of questions answered by all active users);
 - 2.5.10 51 email or paper-based consultation responses; and
 - 2.5.11 229 total number of respondents to the public consultation.
- 2.6 Appendix 2 sets out further information on the conduct of the Local Plan Issues and Options public consultation.
- 2.7 Appendix 3 provides snap-shot graphics of the responses to Issues and Options together with a summary of more detailed comments made. These will all be considered in preparing the next stages of the Local Plan. Cabinet is therefore

requested to note the summary of responses made as set out in Appendix 3. Further detail on the summary of responses can be found on the Council's website.

3 CONSULTATION

- 3.1 The report above summarises the consultation process undertaken for the Issues and Options report, which is in line with the Council's adopted Statement of Community Involvement. In addition, the cross-party Member Working Group have had oversight of Issues and Options process and consultation. Following this stage of consultation, there will be at least two further stages of consultation as the Local Plan is prepared. These will be related to the "Preferred Option" Local Plan (under Regulation 18) and a "Pre-Submission" Local Plan (Regulation 19).

4 ALTERNATIVE OPTIONS

- 4.1 There are no realistic alternative options at this stage in preparing the Local Plan. An alternative option would be to choose not to develop a new Local Plan at this stage. However, this may leave the County without a 5 year housing Land supply, leaving it vulnerable to speculative development. It is also contrary to current Government requirements to have an up to date adopted Local Plan.

5 FINANCIAL IMPLICATIONS

- 5.1 The budget specifically for the production of the Local Plan approved by Council is £983k. This is based on the financial information provided to the full Council meeting held on 1st September 2021 which approved the withdrawal of the submitted Local Plan and the production of a new Local Plan. The estimated budget at that time took account of the mid-position of expected costs for the Local Plan evidence base with no provision for contingencies.
- 5.2 The current forecast for the production of the new Local Plan is £1.101m, identifying a projected overspend of £118k against budget. This is due to commissioning additional evidence on renewable energy not envisaged when the decision was made to prepare a new plan and costs for commissioned evidence being above the mid-range position provided to Council in September 2021. These additional costs partly reflect inflation costs since that date.
- 5.3 A new Local Plan was approved by Council (report 105/2021). A £1.545m reserve was created to resource the making of a new local Plan for the County, which included funding for the expected pressure of operating without a local plan. A further £172.7k was added as part of the outturn report. In addition, at outturn last year, we requested approval that any additional income received from planning application fees would be transferred to the New Local Plan budget. It is expected that for 2022/23 this will be around £75k but this will be revisited at the year end.
- 5.4 The budget for the making of a new local Plan for the County together with the funding for the expected pressure of operating without a local plan will be reviewed on a regular basis as part of budget monitoring. As the current reserve is not sufficient to cover expected costs, then it is possible that a further transfer from the General Fund will be required. By September 2023, the Executive will need to make a recommendation to Council to increase the budget if necessary. This will give time for the Portfolio Holder to consider whether any costs can be mitigated. In the short term, it is planned that a further £300k will be put into the reserve as part of

23/24 budget setting which will give time for the further review to take place.

6 LEGAL AND GOVERNANCE CONSIDERATIONS

6.1 The National Planning Policy Framework sets out the tests that Local Plans and Spatial Strategies should meet to be considered 'sound.' Plans are 'sound' if they are:

a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) Justified – an appropriate strategy, considering the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

6.2 The Local Plan needs to comply with planning legislation that requires procedural fairness and the need to meet the Equality Act. The regulatory framework is provided by the Planning and Compulsory Purchase Act 2004 (as amended) and related statutory instruments. Once adopted, it will form part of the statutory development plan.

7 DATA PROTECTION IMPLICATIONS

7.1 Consultation has been undertaken in line with data protection requirements.

8 EQUALITY IMPACT ASSESSMENT

8.1 There are no direct equalities implications arising from this report but will form part of later stages of the Local Plan preparation.

9 COMMUNITY SAFETY IMPLICATIONS

9.1 There are no direct community safety implications arising from this report although the issues raised in Appendix 3 cover community safety matters with respect to planning policy.

10 HEALTH AND WELLBEING IMPLICATIONS

10.1 There are no direct health and wellbeing implications arising from this report although the issues raised in Appendix 3 cover health and well-being matters with respect to planning policy.

11 CONCLUSION AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

11.1 It is important for the Council to prepare a new Local Plan in a timely fashion, particularly to enable as many people and businesses in Rutland as possible to be

engaged in shaping its future.

- 11.2 The Issues and Options report is the first stage in this process and the preparation of the Local Plan will be fully informed through all responses made to the public consultation on this report.

12 BACKGROUND PAPERS

- 12.1 None

13 APPENDICES

- 13.1 Appendix 1 – Proposed changes to the Local Development Scheme
- 13.2 Appendix 2 – Outline of the Local Plan Issues and Options public consultation
- 13.3 Appendix 3 – Summary of responses to the Local Plan Issues and Options consultation

A Large Print or Braille Version of this Report is available upon request – Contact 01572 722577.