

Joint Advisory Committee for Strategic Planning

Meeting to be held on 24 September 2014

Electoral Division affected: All

Joint Lancashire Minerals and Waste Development Scheme 2014-2017

(Appendix 'A' refers)

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Executive Summary

This report describes the Local Development Scheme for the preparation of minerals and waste policy over the period 2014-2017. It contains the timetable for the preparation of the Joint Lancashire Minerals and Waste Local Plan review.

Recommendation

That the Joint Advisory Committee for Strategic Planning recommends to the Executive Members of the three authorities that the Minerals and Waste Development Scheme 2014-2017 (Appendix 'A' refers) be adopted at their respective decision making sessions, and that the scheme will have effect from 31 October 2014.

Background and Advice

Purpose

The report presents the updated Minerals and Waste Development Scheme (Appendix 'A' refers), and seeks approval for its adoption.

Background

The Joint Advisory Committee for Strategic Planning met on 1 May 2014 to discuss the review of the Minerals and Waste Local Plan; the Executive Members of the three authorities subsequently agreed to progress the review. The first step in progressing the review is the publication of a revised Minerals and Waste Local Development Scheme setting out the timetable for this review.

Rationale

The three authorities are required to produce and maintain an up to date Minerals and Waste Development Scheme setting out the timetable and procedures for producing local plans.

Under section 15 (7) of the Planning and Compulsory Purchase Act 2004, for the Minerals and Waste Development Scheme to take effect the three authorities must resolve that the scheme is to take effect, specifying the date from which the scheme is to have effect.

Key Issues

Since the adoption of the Joint Lancashire Minerals and Waste Site Allocation and Development Management Policies Local Plan, the current Minerals and Waste Development Scheme 2010-2014 has become out of date. This is particularly so given the recent Executive Member decisions to progress the Local Plan review.

Under section 15 (2) of the Planning and Compulsory Purchase Act 2004, a minerals and waste development scheme must set out the local plans that are to be prepared, their subject matter, and the timetable for their preparation and revision. The Minerals and Waste Development Scheme 2014-2017 set out at Appendix 'A', contains a 3 year timetable for the review of the Core Strategy and Site Allocation and Development Management Policies Local Plan.

Local Plans are subject to statutory preparation procedures under Part 6 of the Town and Country Planning (Local Planning) (England) Regulations 2012. As a minimum these regulations require that local plans are consulted on during their preparation (section 18) and prior to submission (section 19). It is recommended that two consultations are carried out under section 18, as described in the adopted Statements of Community Involvement.

The Minerals and Waste Development Scheme 2014-2017 outlines the process for carrying out the Local Plan Review. In order to understand how each consultation fits into the wider Local Plan process it is necessary to describe the purpose of each consultation.

- Winter of 2014 - The first stage will invite comments on what the review of the local plans should contain, and identify the issues from the evidence presented.
- Summer of 2015 - The second stage will invite comments on a draft Local Plan, principally on any proposals (for example changes to the vision and objectives, or policies and allocations, or the absence of any changes) to address the issues identified through the scoping consultation.
- Spring of 2016 - The third stage (regulation 19 Publication stage) will invite comments on the version of the Local Plan that the three authorities propose to submit to the Secretary of State.
- Summer 2016 - The final stage is the submission to the Secretary of State, and the subsequent examination in public by a planning inspector appointed by the Secretary of State. The examination will determine whether the Local Plan is sound and legally compliant.
- The outcome of the review will be the adoption of the Minerals and Waste Local Plan 2017-2032 in summer 2017.

It is a requirement of the regulations that local plans be produced in accordance with the local development scheme. Progress towards producing local plans is measured against the timetable set out in the development scheme; this is a key test of the soundness of the local plan at examination.

Therefore it is particularly important to ensure that the timetable in the development scheme is achievable. A risk log is included in the Minerals and Waste Development Scheme 2014-2017 outlining the main issues that could impact on the delivery of the timetable, and the degree to which they can be mitigated.

Policy Implications

There are no direct policy implications for the adoption of the Minerals and Waste Development Scheme 2014-2017. However, the policies in the adopted Joint Lancashire Minerals and Waste Core Strategy, and Site Allocation and Development Management Policies Local Plan, will be replaced upon the adoption of the Minerals and Waste Local Plan 2017-2032.

Recommendation

That the Joint Advisory Committee for Strategic Planning recommends to the Executive Members of the three authorities that the Minerals and Waste Development Scheme 2014-2017 be adopted at their respective decision making sessions, and that the scheme will have effect from the date of the last decision making session, subject to any Scrutiny Call-in procedures each authority has.

Consultations

N/A

Implications:

This item has the following implications, as indicated:

Finance

The costs of the review can be contained within the agreed existing budgetary provisions, following the decision to review the Local Plan.

Risk management

Section 19(1) of the Planning and Compulsory Purchase Act 2004 require that local plans are produced in accordance with the adopted development scheme: failure to adopt the Minerals and Waste Development Scheme 2014-2017, containing the Local Plan review, will prevent the review recommended by the Joint Advisory Committee for Strategic Planning on 1 May 2014 (the first stage of which is described in a separate report to this committee) from taking place.

Under section 15(7) of the Planning and Compulsory Purchase Act 2004, the resolution to bring the scheme into effect must specify the date from which the scheme will have effect; this is addressed in the reports recommendation.

Under section 15 9(A) of the Planning and Compulsory Purchase Act 2004, once the scheme comes into effect the three authorities will need to make the scheme available, along with a list of the amendments made. Under section 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 a document is taken to be made available when it is made available for inspection: on the three authorities websites; at their principal offices; and at such other places within their area as they consider appropriate (as defined in the adopted Statements of Community Involvement).

Risks of delays in implementing the Minerals and Waste Development Scheme 2014-2017 timetable are outlined in section 7 of the Minerals and Waste Development Scheme 2014-2018 (Appendix 'A' refers).

Finance

The costs of the review can be contained within the agreed existing budgetary provisions, following the decision to review the Local Plan.

List of Background Papers

Paper	Date	Contact/Directorate/Tel
Joint Lancashire Minerals and Waste Local Plan: Local Plan Review	1 May 2014	Richard Sharples, Environment Directorate, (01772) 534294

Reason for inclusion in Part II, if appropriate

N/A