

THE MINERALS AND WASTE DEVELOPMENT SCHEME FOR LANCASHIRE 2014-2017

September 2014

Joint Committee for Strategic Planning



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1. Introduction

- 1.1 This Minerals and Waste Development Scheme has been prepared by the Joint Authorities of Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Council in respect of the Joint Lancashire Minerals and Waste Local Plan. It is produced in accordance with the Planning and Compulsory Purchase Act 2004 and is intended to replace the Local Development Scheme 2012-2016, which was previously published by the authorities in September 2012.
- 1.2 It describes the minerals and waste local plan that are to be produced or revised between 2014 and 2017, within the administrative areas of Lancashire, Blackburn with Darwen, and Blackpool, and the timetable for their production and consultation.
- 1.3 This represents a new development scheme, rather than a revision to a previous scheme, in the sense that the previous schemes were concerned with the production and delivery of the Joint Lancashire Minerals and Waste Local Development Framework. This suite of documents has now been completed, with the adoption of the Site Allocation and Development Management Policies Local Plan in September 2013. This new development scheme concerns the preparation of a single minerals and waste local plan, containing the policies of the Local Development Framework, updated where necessary to reflect current evidence.
- 1.4 The National Planning Practice Guidance states that 'to be effective plans need to be kept up to date'. It recommends that, depending on local circumstances, most Local Plans will need updating in whole or in part at least every 5 years.

2. Review and Amalgamation of the Site Allocations and Development Management Policies Local Plan and Core Strategy

- 2.1 The Joint Authorities are intending to start a review and roll forwards the policies of the adopted plan. Work on evidence and background information began at the end of 2013 with a view to the revised plan being adopted during 2017. This does not and should not be considered to cast doubt on the up to date nature of the policies in the adopted plan which are due to run until 2021, but rather to demonstrate commitment by the Joint Authorities to operating a strong plan led system beyond the 2021 deadline.

Table 1: Schedule of Proposed Joint Lancashire Minerals and Waste Local Plan (publication, submission, adoption)

Document Title	Brief Description	Consultation (Regulation 18)	Publication of the DPD (Regulation 19)	Submission to Secretary of State	Date of Adoption
Joint Lancashire Minerals and Waste Local Plan	Review of the Site Allocations and Development Management Policies Local Plan and Core Strategy	Nov-Dec 2014 May-June 2015	Jan-Feb 2016	June 2016	May 2017
Revisions to Policies Map	Identifies locations of site allocations and safeguarding areas as				

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	defined in the above local plan.				

- Subject Matter**
- Review of the evidence base for the development plan, and partial review of the policies where necessary, together with combining the two development plan documents into one local plan.
 - The vision, objectives and strategy for minerals and waste development.
 - Site allocations suitable for minerals and waste developments, and policies for the development of those sites.
 - Development management policies to cover matters not covered in national policy, or where special local circumstances prevail.
 - A policies map to show any site specific policies (e.g. mineral consultation areas, designated sites or areas, or site allocations).

- Geographical area**
- Covers the area of Lancashire County Council and Blackburn with Darwen and Blackpool Borough Councils.

- Arrangements for Production**
- Staff resources from within the County Council's Strategy and Policy Planning Group, cost sharing between the Joint Authorities where appropriate.
 - Political management through the Joint Advisory Committee and the appropriate Executive Member, Cabinet/Executive Board or Full Council/Council forum of each of the Joint Authorities.
 - Planning Inspector will be requested under section 20(7C) to provide Main Modifications.
 - Approach to involve stakeholders and the community in accordance with the SCI and the duty to cooperate as set out in the NPPF.

- Timetable for Preparation**
- **September 2014** - Joint Advisory Committee meeting
 - **Winter 2014** - Scoping consultation to invite comments on what the review of the local plan should contain, and to identify the issues from the evidence, under section 18 of the Town and Country (Local Planning) (England) Regulations 2012
 - **Summer 2015** - Preferred options consultation to invite comments on proposed changes (vision, objectives policies and allocations) to address the issues identified in the scoping consultation, under section 18 of the Town and

- Country (Local Planning) (England) Regulations 2012
- **Spring 2016** - Publication consultation to invite comments on the revised Local Plan prior to submission to the Secretary of State, under section 19 and 20 of the Town and Country (Local Planning) (England) Regulations 2012
- **Summer 2016** - Submission to the Secretary of State, under section 20 of the Planning and Compulsory Purchase Act 2004
- **Summer 2016** - Examination in Public
- **Summer 2017** - Adoption

3. Evidence Base

- 3.1 Relevant survey and monitoring information is needed to develop a sound evidence base for the Local Plan. This evidence base identifies issues and constraints for the Local Plan. The evidence base consists of existing data and new research and technical studies. Additional information has been and will continue to be collected from stakeholders, local communities and commercial interests.
- 3.2 This will include an ongoing dialogue with specific consultees to ensure cooperation in maximising the effectiveness of the preparation of the local plan, as required by section 33A of the Planning and Compulsory Purchase Act 2004.
- 3.3 As the evidence base builds and individual background and technical reports are completed, the information is posted on the Council's website, usually at a consultation stage in the development of the Local Plan. If the evidence base suggests that there is no need for changes this will also be highlighted.

4. Monitoring

- 4.1 It is necessary to monitor and produce a report annually on the timetable in this development scheme, and the effectiveness of adopted planning policies in achieving their objectives and targets. Indications will be given in the Monitoring Report in circumstances where policies might need reviewing and what action might have to be taken to do this. A revised Development Scheme will be published where this is necessary.

5. Resources

- 5.1 The preparation of the Local Plan is a joint process between Lancashire County Council, Blackburn with Darwen Borough Council and Blackpool Council. In practice, the work will fall largely upon the Strategy and Policy Group of the County Council's Environment Directorate with the County Council being financially reimbursed by the two Unitary Authorities as appropriate, as described in the service level agreement.

6. Political Management

- 6.1 The document will be guided, scrutinised and approved by elected members and official committees and councils of the three authorities, at each stage of production.

- 6.2 Recommendations on the preparation and publication of the local plan will be taken by the Joint Advisory Committee; principal decisions will be taken by the three authorities, either by their executive members or by Full Council, depending on the significance of the decisions being made. Committee and Council decisions are open to the public.

7. Risk Assessment

- 7.1 Every effort will be made to ensure that the programme set out in this Development Scheme will be fulfilled, but clearly there are various risks to different aspects of it. The following table identifies these possible risks, the problems that could ensue, the inherent risk (before any mitigation is place), and the mitigation measures that might be taken to alleviate them and the residual risk (after mitigation measures are taken).

Likelihood of Occurrence	High	4	7	9
	Medium	2	5	8
	Low	1	3	6
		Low – minor delay and impact on staff allocation	Medium – delay, with associated minor budget impact	High – significant delay, with associated budget impact
Impact on Business				

RISK	PROBLEM	INHERENT RISK	MITIGATION MEASURE	RESIDUAL RISK
Staff turnover or required for other work items.	Under resourced to take forward the Local Plan preparation resulting in delays.	8	Experienced staff in post. Resources may be drawn from other areas within the wider Strategy and Planning Policy Group in order to ensure continuity	5
Administrative delays	Programme is too tight with insufficient time for document preparation resulting in delays	3	Some leeway has been built into the post consultation and committee stages.	3
Capacity of the Planning Inspectorate (PINS)	Inability of PINS to meet deadlines for examination/decisions will result in delays to Local Plan process and adoption.	8	Leeway has been built into the post submission stages.	5
Plan found to not be legally compliant	At the prehearing meeting or the examination the plans preparation found to not accord to the duty to cooperate	8	Continued attendance at regional and sub-regional minerals and waste meetings. Early engagement with relevant authorities to identify strategic issues. Leeway built into post consultation stages to allow time for duty to cooperate meetings to discuss and resolve any	2

RISK	PROBLEM	INHERENT RISK	MITIGATION MEASURE	RESIDUAL RISK
			issues of soundness identified through the consultation.	
Emerging/ changing policy	Changes to National Policy affect the Local Plan process resulting in changes to process or changes to emerging policy, or reassessment of evidence.	8	Long range forecasts of need are less sensitive to changes in policy, as are locally specific policies. Budget must contain contingency funds to allow for any associated reconsultation or redrafting necessary.	5
High levels of objection to site allocation	High levels of objections could result in additional time needed to process and assess comments, and may affect political will to proceed, resulting in the need to redraft, or consult on alternatives.	8	Leeway has been built into the post consultation and committee stages. Front loading the consultation will ensure the significant issues are identified early in the process, and can inform policy development. Reserve sites will receive the same treatment as the preferred sites to ensure the availability of credible alternatives in the event of having to reject the preferred site later in the process, without the need to reconsult.	5
Judicial review	Administrative failure results in legal challenge post adoption	6	Experienced staff in post, thorough project plan, and sufficient time after and leading up to key stages	1
Joint Authority discord	Disagreements between the three authorities, causing delays to the adoption of the Local Plan documents	3	Joint authority members and officers involvement throughout the process.	3

APPENDIX: GLOSSARY OF TERMS AND ABBREVIATIONS

LDS	Local Development Scheme
SCI	Statement of Community Involvement – the approach to involving stakeholders in the MWDF preparation
MR	Monitoring Report – the annual review of the Minerals and Waste Local Plan
NPPF	National Planning Policy Framework – national government policy this replaces PPG, PPS, MPG, MPS

Duty to Co-Operate The process of working together between county and neighbouring authorities and with Local Enterprise Partnerships to prepare and maintain a robust evidence base to understand both existing business needs and likely changes in the market and to aid in the formation of strategic planning.