

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

12 APRIL 2007

**REPORT OF CORPORATE
MANAGEMENT TEAM**

KEY DECISION/CABINET DECISION/COUNCIL DECISION

Regeneration and Transport –Lead Cabinet Member –Councillor Cook

SAVING OF EXISTING STRUCTURE AND LOCAL PLAN POLICIES

1. Summary

This report informs members of the saved policies exercise that is being carried out with regard to the Tees Valley Structure Plan and of the proposed revision to the schedule of saved policies for the Stockton-on-Tees Local Plan in the light of further guidance from the Government Office for the North East (GO - NE).

2. Recommendations

That Cabinet: -

1. Endorses the request of the Tees Valley Joint Strategy Committee that the North of England Assembly asks the Secretary of State for Communities and Local Government to extend the life of the Tees Valley Structure Plan policies identified in Appendix 1 to this report, until the Secretary of State approves *View: Shaping the North-East* (the new Regional Spatial Strategy) or until the matters covered can be considered through the local development frameworks of the Tees Valley authorities.
2. Agrees the revised schedule of saved Local Plan policies (Appendix 2).
3. Agrees to delegate to officers minor amendments to the schedules as agreed with the Joint Strategy Unit, GONE or the Planning Inspectorate.

3. Reasons for the Recommendations/Decision(s)

1. Under the development planning provisions of the Planning and Compulsory Purchase Act 2004, regional spatial strategies and local development frameworks will collectively replace structure plans and local plans. All development plan policies in existence when the Act came into force automatically expire on 27 September 2007 unless the Secretary of State extends them. At that time, the Government expected that replacement would be largely complete within three years.
2. In August 2006 the Department of Communities and Local Government issued a 'protocol' to all local planning authorities outlining detailed procedures for reviewing and agreeing an extension to saved structure and local plan policies.

Tees Valley Structure Plan Policies

3. In the case of structure plans, the Government indicated at the time that requests for extension would be made by regional planning bodies (in Stockton's case, the North of England Assembly), following discussion with the relevant structure plan authority (in Stockton's case the Council, in conjunction with the other Tees Valley authorities/Tees Valley Joint Strategy Committee).
4. The Tees Valley Joint Strategy Committee has recommended to the North of England Assembly that the life of a small number of Tees Valley Structure Plan policies be extended, pending approval of the new Regional Spatial Strategy, or consideration through the local development frameworks of the Tees Valley authorities.

Stockton-on-Tees Local Plan

5. The schedule of saved Local Plan policies has already been submitted to Council (as an appendix to the 2005/06 Annual Monitoring Report) and approved. However, it included policies that had been identified to be saved only partially. This was consistent with the advice from GONE at that time. Subsequently there has been further advice from GONE that any policies saved must be saved in their entirety. There have also been amendments to the estimated dates for adoption of the Core Strategy, Regeneration and Environment DPDs and circumstances surrounding other policies formerly identified for either saving or deletion have changed.
6. The deadline for the submission to GONE of saved local plan policies is 1 April 2007. The final date for saved policies being agreed is 1 July 2007. Both the schedule of saved structure plan and local plan policies have been submitted to GONE as officer recommendations pending approval by Planning Committee and Cabinet.

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.

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SUMMARY

This report informs members of the saved policies exercise that is being carried out with regard to the Tees Valley Structure Plan and of the proposed revision to the schedule of saved policies for the Stockton-on-Tees Local Plan in the light of further guidance from the Government Office for the North East (GONE).

RECOMMENDATIONS

That Cabinet: -

1. Endorses the request of the Tees Valley Joint Strategy Committee that the North of England Assembly asks the Secretary of State for Communities and Local Government to extend the life of the Tees Valley Structure Plan policies identified in **Appendix 1** to this report, until the Secretary of State approves *View: Shaping the North-East* (the new Regional Spatial Strategy) or until the matters covered can be considered through the local development frameworks of the Tees Valley authorities.
2. Agrees the revised schedule of saved Local Plan policies (**Appendix 2**).
3. Agrees to delegate to officers minor amendments to the schedules as may be agreed with the Joint Strategy Unit, GONE or the Planning Inspectorate.

DETAIL

1. Under the development planning provisions of the Planning and Compulsory Purchase Act 2004, regional spatial strategies and local development frameworks will collectively replace structure plans and local plans. All development plan policies in existence when the Act came into force automatically expire on 27 September 2007 unless the Secretary of State extends them. At that time, the Government expected that replacement would be largely complete within three years.
2. In August 2006 the Department of Communities and Local Government issued a 'protocol' to all local planning authorities outlining detailed procedures for reviewing and agreeing an extension to saved structure and local plan policies.

Tees Valley Structure Plan Policies

3. In the case of structure plans, the Government indicated at the time that requests for extension would be made by regional planning bodies (in Stockton's case, the North of England Assembly), following discussion with the relevant structure plan authority (in

Stockton's case the Council, in conjunction with the other Tees Valley authorities/Tees Valley Joint Strategy Committee).

4. The Tees Valley Joint Strategy Committee has recommended to the North of England Assembly that the life of a small number of Tees Valley Structure Plan policies be extended, pending approval of the new Regional Spatial Strategy, or consideration through the local development frameworks of the Tees Valley authorities.

Stockton-on-Tees Local Plan

5. The schedule of saved Local Plan policies has already been submitted to Council (as an appendix to the 2005/06 Annual Monitoring Report) and approved. However, it included policies that were identified to be saved only in part. This was consistent with the advice from GONE at that time. Subsequently there has been further advice from GONE that any policies saved must be saved in their entirety. There have also been amendments to the estimated dates for adoption of the Core Strategy, Regeneration and Environment DPDs and circumstances surrounding other policies formerly identified for either saving or deletion have changed.
6. The deadline for the submission to GONE of saved local plan policies is 1 April 2007. The final date for saved policies being agreed is 1 July 2007. Both the schedule of saved structure plan and local plan policies have been submitted to GONE as officer recommendations pending approval by Planning Committee and Cabinet.

FINANCIAL AND LEGAL IMPLICATIONS

Financial

7. Any financial implications from this report will be accommodated within normal budgetary provisions.

Legal

8. Under the development planning provisions of the Planning and Compulsory Purchase Act 2004, regional spatial strategies and local development frameworks will collectively replace structure plans and local plans. All development plan policies in existence when the Act came into force automatically expire on 27 September 2007 unless the Secretary of State extends them. At that time, the Government expected that replacement would be largely complete within three years.
8. In August 2006 the Department of Communities and Local Government issued to all local planning authorities a 'protocol' outlining detailed procedures for reviewing and agreeing an extension to saved structure and local plan policies.

RISK ASSESSMENT

9. "This (subject matter of report) is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk."

COMMUNITY STRATEGY IMPLICATIONS

Environment

10. The policies recommended for saving will contribute to protecting and enhancing the environment of the Borough.

Community Safety and Well-Being

11. The policies recommended for saving will assist in designing out crime in new developments

Economic Regeneration

12. The policies recommended for saving will support the economic regeneration of the Borough

Education and Lifelong Learning

13. The policies recommended for saving will assist in promoting education and lifelong learning.

Arts and Culture

14. The policies recommended for saving will support art and culture in the Borough.

CONSULTATION INCLUDING WARD/COUNCILLORS

15. Not applicable

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Background Papers

The Planning and Compulsory Purchase Act 2004

Planning Policy Statement 12: Local Development Frameworks

Protocol for Saving Structure and Local Plan Policies August 2006. DCLG August 2007.

Ward(s) and Ward Councillors: N/A

Property: N/A