

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

30 AUGUST 2007

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION/COUNCIL DECISION/KEY DECISION

Regeneration and Transport – Lead Cabinet Member – Councillor Cook

CORE STRATEGY DEVELOPMENT PLAN DOCUMENT PREFERRED OPTONS LOCAL DEVELOPMENT FRAMEWORK LDF

1. Summary

This report informs Members of the comments received from Government Office for the North East (GO-NE) in relation to the Core Strategy DPD Preferred Options. As a result of these views, editing has been carried out to the document which was approved by Cabinet for consultation on 5 July 2007 (Minute Ref. 18/07), with delegated authority to amend in consultation with the LDF Member Steering Group. Although the thrust of the Preferred Options paper has not changed, the format of the document is significantly different.

2. Recommendations

Members are recommended to: -

i) Note the contents of this report, for information.

3. Reasons for the Recommendations/Decision(s)

There is a statutory duty for all local planning authorities to adopt and keep under review the development plan for their respective areas. Under the Planning and Compulsory Purchase Act 2004, the Core Strategy is a development plan document that will set out the Council's vision and spatial strategy for meeting known and anticipated development requirements to 2021.

Planning Policy Statement 12: Local Development frameworks states the "Local planning authorities should prepare development plan documents taking into consideration the process of continuous community involvement.....and should front load the preparation of development plan documents by facilitating early involvement and securing inputs from the community and all stakeholders".

This report puts before Cabinet the amended version of the Preferred Options of the Core Strategy DPD, for information, prior to public consultation.

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 (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must 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 (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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LOCAL DEVELOPMENT FRAMEWORK**

SUMMARY

This report informs Members of the comments received from Government Office for the North East (GO-NE) in relation to the Core Strategy DPD Preferred Options. As a result of these views, editing has been carried out to the document which was approved by Cabinet for consultation on 5 July 2007 (Minute Ref. 18/07), with delegated authority to amend in consultation with the LDF Member Steering Group. Although the thrust of the Preferred Options paper has not changed, the format of the document is significantly different.

RECOMMENDATIONS

Members are recommended to: -

- i) Note the contents of this report, for information.

DETAIL

1. In preparing the Core Strategy Preferred Options, close liaison has taken place with GO-NE North East. They have commented on two previous versions of the document, prior to submitting the document to Council, and amendments were made accordingly.
2. Once agreed by Council for consultation, in July the document was again sent to GO-NE. They have made further comments to be taken on board prior to public consultation. The comments are based on some very recent guidance, published in June by the Planning Inspectorate, which reflects the lessons learnt in examining DPDs to date. The guidance seeks to ensure that DPDs are found to be "sound" at examination.

COMMENTS FROM GO NORTH EAST

3. The comments from GO North East do not undermine the main thrust of the Council's Preferred Options for the Core Strategy. The main comments, in addition to editorial suggestions, focus on
 - Consistency: ensuring that all the policies are clear and consistent in their relationship with each other;
 - Local distinctiveness: not just repeating national and regional planning guidance;
 - Inclusion of sufficient detail: to provide a meaningful spatial strategy, whilst remaining strategic

- Avoiding repetition: the plan will be read as a whole, and therefore repetition in both Core Strategy policies and Development Management policies, and cross referencing between policies is not necessary
 - Strengthening links with the Sustainability Appraisal (SA): including text to say how the various options/policies perform against the SA.
4. At their meeting on 31 July 2007, the LDF Member Steering Group agreed that the comments of GO-NE should be incorporated into the Preferred Options, and that the amended version should be placed before Cabinet, as an item for information, prior to public consultation. An amended copy is attached as Appendix 1.

FINANCIAL AND LEGAL IMPLICATIONS

Financial

5. The production of the document can be made within existing budgetary provisions. However, Planning Delivery Grant is based on meeting the timetable set out in the Local Development Scheme, and missing the target date for the Preferred Options to go out for public consultation could result in the council being penalised.

Legal

6. Pre-submission consultation relating to the preparation of Development Plan Documents is a statutory requirement of the Town and Country Planning (Local Development) (England) Regulations 2004. Failure to comply would lead to the Core Strategy being found “unsound”.

RISK ASSESSMENT

7. A Strategic Risk Assessment has been undertaken, and there are no known risks that would arise from the preparation of the Core Strategy. However, delay at this stage could lead to difficulties in meeting subsequent target dates for the preparation of and consultation on the Preferred Options and Submission documents, independent examination and adoption of the Core Strategy.

COMMUNITY STRATEGY IMPLICATIONS

Environment

8. The Core Strategy DPD is aimed at ensuring development makes a positive contribution to sustainable development within the Borough of Stockton-on-Tees. Sustainability is at the heart of proposed policies, which also seek to enhance the quality of the Borough’s natural and built environment.

Community Safety and Well-Being

9. The Core Strategy also aims to ensure development can make a positive impact to the safety and well being of the Borough’s residents. The Vision specifically refers to the “creation of safe, healthy, prosperous, inclusive, sustainable communities”. Safety and well-being are central to proposals.

Health

10. The Core Strategy seeks to bring together the spatial aspects of other plans and strategies, and the implications of policies for the health of the community are taken into account through the sustainability Appraisal. The Vision specifically refers to the creation of healthy communities and a holistic approach has been taken to considering the impact on health of

providing quality homes, access to employment opportunities, improved access to health care, sport, leisure and recreation facilities.

Economic Regeneration

11. Economic regeneration, and the development of policies to assist in delivering this, are central to the Core Strategy.

Education and Lifelong Learning

12. Accessibility to services and facilities, including education and training opportunities is a key requirement to assist with the economic regeneration of the Borough.

Arts and Culture

13. Improving the “cultural” offer of the Borough is a strand which is incorporated in the Core Strategy DPD.

CONSULTATION INCLUDING WARD/COUNCILLORS

14. As this is a Borough wide document, it is not possible to identify specific wards or ward councillors for consultation. The document will be subject to a full public consultation over a period of six weeks in autumn.

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Background Papers:

Planning Policy Statement 12: Local Development Frameworks

Core Strategy Issues and Options March 2006

Local Development Frameworks: Lessons Learnt Examining Development Plan Documents. The Planning Inspectorate. June 2007.

Ward(s) and Ward Councillors: **N/A**

Property: **N/A**