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<b>Report to:</b>	Leader of the Council	<b>Date of Decision:</b>	13 November 2015
	Cabinet	<b>Date of Meeting:</b>	3 December 2015
<b>Subject:</b>	Sefton Local Plan - Further Post- Submission Changes	<b>Wards Affected:</b>	All
<b>Report of:</b>	Chief Executive		
<b>Is this a Key Decision?</b>	No	<b>Is it included in the Forward Plan?</b>	No
<b>Exempt/Confidential</b>	No		

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## Purpose/Summary

Since submission of the Local Plan for examination in August 2015, it is proposed to make a number of changes to take account of representations where they will help to secure that the Plan is 'sound', updated evidence and to make minor editorial changes etc. This is regarded as good practice. Cabinet has already approved two sets of proposed post-submission changes on 1 October 2015 and 5 November 2015.

## Recommendations

### Leader of the Council:

- (1) That the list of proposed post submission changes to the Local Plan as set out in Annex1 be approved for consideration by the Planning Inspector at the Local Plan examination; and
- (2) it be noted that the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Regeneration and Skills) have given their consent under Rule 46 of the Overview and Scrutiny Procedure Rules for this decision to be treated as urgent and not subject to "call in" on the basis that it cannot be reasonably deferred because:
  - This is contrary to good practice and would delay the efficient progress of the examination hearings, which is likely to result in additional costs for the Council. The Inspector expects the Council to make a decision within a day or two;
  - This is not the final decision – following the completion of the hearings, the Inspector will include a set of proposed 'main modifications' in an interim report that are required to make the Local Plan 'sound. This will be agreed by Cabinet and published for consultation.

- ‘Additional’ or minor modifications have been delegated to the Cabinet Member: Planning and Building Control but would still be published as an issue and 5 days later as a decision, with the Rule 46 procedure applied to waive the call-in of these decisions.

**Cabinet:**

That the report on the urgent decision taken by the Leader of the Council be noted.

**How does the decision contribute to the Council’s Corporate Objectives?**

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Jobs and Prosperity		✓	
3	Environmental Sustainability		✓	
4	Health and Well-Being		✓	
5	Children and Young People		✓	
6	Creating Safe Communities		✓	
7	Creating Inclusive Communities		✓	
8	Improving the Quality of Council Services and Strengthening Local Democracy		✓	

**Reasons for the Recommendation:**

To have in place a number of proposed changes to the Local Plan prior to the examination hearings which are due to begin in mid-November. This will help show how the Council intends to respond to a number of representations where it accepts the premise of the argument and which would help to make the Plan sound.

**Alternative Options Considered and Rejected:**

None. It is good practice to suggest post submission changes which the Council supports before the hearings stage of the examination of the Local Plan. This will also help to reduce the length of the hearings.

**What will it cost and how will it be financed?**

**(A) Revenue Costs**

Within the Local Plans budget

**(B) Capital Costs**

None

## Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Financial</b>		
<b>Legal</b>		
<b>Human Resources</b>		
<b>Equality</b>		
1.	No Equality Implication	<input checked="" type="checkbox"/>
2.	Equality Implications identified and mitigated	<input type="checkbox"/>
3.	Equality Implication identified and risk remains	<input type="checkbox"/>

## Impact of the Proposals on Service Delivery:

None

## What consultations have taken place on the proposals and when?

The Chief Finance Officer has been consulted and notes the report indicates no direct financial implications for the Council. At this stage revenue costs can be met from existing budgets agreed for the Local Plan. (FD 3893/15)

The Head of Regulation and Compliance has been consulted and any comments have been incorporated into the report. (LD 3176/15)

## Implementation Date for the Decision

Immediately on publication of the decision.

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## Background Papers:

The representations to the Local Plan can be accessed via [www.sefton.gov.uk/localplan](http://www.sefton.gov.uk/localplan), the evidence base via [www.sefton.gov.uk/examlibrary](http://www.sefton.gov.uk/examlibrary)

## **1. Introduction/Background**

- 1.1 The Local Plan for Sefton was submitted to the Planning Inspectorate on 3 August 2015. Mr Martin Pike has been appointed as the Planning Inspector to examine the Sefton Local Plan. On 24 September a Pre-hearing meeting was held. Following the Pre-hearing meeting the Inspector confirmed that the hearings will commence on Tuesday 17 November 2015 for a period of 4 – 5 weeks. However, this is subject to change depending on how the examination progresses.
- 1.2 As we progress towards the Examination hearings there is an opportunity for the Council to suggest to the Inspector proposed changes to the draft Local Plan. These are known as ‘post submission changes’ and a list of these is provided at **Annex A**.
- 1.3 Where changes affect the meaning or direction of a policy, these require Cabinet approval. Previous post submission changes were agreed by Cabinet on 1<sup>st</sup> October and 5<sup>th</sup> November 2015. It is likely that more changes will need to be approved as the examination progresses.
- 1.4 It is also good practice to agree ‘statements of common ground’ with objectors and to make changes that will help the Council present its case based on the Inspector’s Matters, Issues and Questions, as these will form the basis of the discussion at the hearing sessions.

## **2. Further Proposed Post Submission Changes**

- 2.1 The Council is proposing a further list of modifications it would like the Inspector to consider as part of the Local Plan examination. These are the third list of modifications that the Council has proposed since the Local Plan was submitted.
- 2.2 The modifications include a revised policy for the Land East of Maghull proposed development site. The amended policy sets out a requirement for the provision of two housing schemes, of 25 homes in each, within the site for older people. The amended policy also introduces a requirement that no applications for residential development will be permitted until a Supplementary Planning Document relating to this site has been adopted by the Council. There is also no longer a requirement for a contribution to the rail station as this will be constructed before the development starts.
- 2.3 The housing capacities on a small number of the proposed development sites have been decreased slightly to take account of new information on the flood risk on the sites.
- 2.4 The monitoring framework has been substantially updated. This is in response to one of the Inspector’s questions. In addition to a list of indicators the framework now includes information on the current baseline information, targets or the direction of travel and an indication of what would happen if the target is not met. In general terms the implications of not meeting a target is that a review of the policy approach will be undertaken with the opportunity given to address any deficiencies in the relevant policy. The indicators in the monitoring framework will be reported in the Council’s monitoring framework.

2.5 Additional modifications are proposed to add clarification to other Local Plan policies, including adding links, improving definitions, improving explanations and improving readability.

2.6 In addition, and in response to the Inspector's Matters, Issues and Questions, it is proposed to replace the Monitoring Framework in the Local Plan.

### **3. Next Stages**

3.1 Once the proposed changes are agreed we will submit these to the Inspector. The Inspector will consider the proposed changes and, if he is minded, recommend the Council includes them as Modifications to the Local Plan.

3.2 There are likely to be other modifications to the Local Plan arising from the examination hearings. The Council is required to consult on the main Modifications to the Local Plan before any changes are incorporated into the document prior to its adoption. These will need to be fed through on a daily basis as we have to respond to the Inspector in a very short timescale. For this reason, it is proposed that decisions relating to the Local plan should not be subject to normal 'call in' requirements.

3.3 When we have received the Inspector's preliminary findings on the Main Modifications, these will be submitted to Cabinet for approval before we have to advertise all the modifications to the submitted version of the Plan.