

North East Derbyshire District Council

Council

25 November 2024

LOCAL PLAN STEERING GROUP

Report of the Assistant Director of Governance and Monitoring Officer and the Assistant Director of Planning

Classification: This report is public

Report By: Sarah Sternberg Assistant Director of Governance and Monitoring Officer and David Thompson, the Assistant Director of Planning

Contact Officer: Sarah Sternberg Assistant Director of Governance and Monitoring Officer and David Thompson, the Assistant Director of Planning

PURPOSE / SUMMARY

To propose new arrangements for the Local Plan Working Group

RECOMMENDATIONS

1. That the Council establishes a new Local Plan Working Party (replacing the previous Working Party) and consisting of 9 Members.
2. That the seats on the Working Party are allocated as follows:

Labour	5
Conservatives	2
Independents	1
LibDems	1
Total	9
3. That Members of the Working Group are proposed by the relevant Party Groups and that Council approve them.
4. That the Council approve the Terms of Reference attached to the report.

Approved by the Leader

IMPLICATIONS

Finance and Risk: Yes No

Details: Not directly in terms of Finance.

In terms of risk, a new Strategic Risk has been added to the Strategic Risk Register as follows:

Risks before a new Plan is adopted:

- Ability to resist speculative development (once current Plan is out of date);
- Resources – an out of date Plan is likely to lead to a sharp rise in applications and pre-application enquiries;
- Reputation – far more contentious applications will result in more objections and higher Committee workload;

Risks specific to developing new Plan:

- 2 year deadline for submission to Planning Inspectorate is very tight – current resources ok but this will need to be kept under review – we may be reliant on consultants to complete certain elements of evidence more quickly;
- Poor corporate buy in is a big risk. Very sensitive decisions will need to be made about where to allocate land for development – those decisions will need to be made in a timely fashion for the 2 year deadline to be met;
- Pressure on the officer/Member relationship – this needs to be a collaborative and a-political process. Officer morale will reduce if this becomes a negative relationship and any ‘delaying tactics’ will seriously undermine the ability to meet the 2 year deadline;

Not meeting the December 2026 deadline for submission of an updated Plan under the current Plan making system. This would mean submission under the new system which will be in its infancy withy inherent uncertainties – costing time and resource through potentially repeating consultation and technical work.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details: As in the report. There has been consultation on changes to the NPPF including on proposals to increase housing supply. It is likely the changes will be made in early 2025. These changes will put pressure on the Council to produce a new Local Plan by December 2026. The multi party Local Plan Working Group needs to be an efficient and effective part of this process given that there is additional time pressure compared to what was previously planned for.

Staffing: Yes No

Details: As in the report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>NEDDC: Revenue - £125,000 <input type="checkbox"/> Capital - £310,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Significantly Affected</p>	None directly
Equality Impact Assessment (EIA) details:	
<p>Stage 1 screening undertaken</p> <ul style="list-style-type: none"> Completed EIA stage 1 to be appended if not required to do a stage 2 	Not applicable
<p>Stage 2 full assessment undertaken</p> <ul style="list-style-type: none"> Completed EIA stage 2 needs to be appended to the report 	No, not applicable
<p>Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	Yes Details: The Leader has met to discuss the suggested approach with the 3 other party Leaders.

Links to Council Plan priorities;

- **A great place that cares for the environment**
- **A great place to live well**
- **A great place to work**
- **A great place to access good public services**

This links to all 4 objectives in the Council Plan.

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 At the last Council, the Leader was asked a question about the Local Plan Working Group and its membership. The Leader, in response to the question, agreed that in the light of the consultation on proposed planning changes to the NPPF and the likelihood that the changes would be introduced early in 2025 that the Working Party and its membership would be reviewed.
- 1.2 Since the Council, the Leader has met with the other 3 Party Leaders to explore how this can best be done. The Leaders have been generally supportive of the proposals outlined in this report.
- 1.3 This report sets out the details of the Working Party including draft Terms of Reference.

2. **Details of Proposal or Information**

- 2.1 It is recommended to Council that the Local Plan Working Group be made up of 9 members. It is very important that the Groups is neither too big nor too small. At the same time it must have a wide enough membership to get a variety of opinions on each subject. It is considered that a membership of 9 provides this balance.
- 2.2 The proposal is that the members are allocated on the proportionality rules used in allocating members to Committees. This would mean that the distribution would be:

Labour	5
Conservatives	2
Independents	1
Lib Dems	1

- 2.3 The individual Party groups will be the ones to propose their members and will need to do so at this Council.
- 2.4 It is imperative that the Local Plan Working Group makes its recommendations efficiently and is committed to meeting the timeline for the new Local Plan – December 2026. This is reflected in the draft Terms of Reference attached to this report. Council is asked to approve these but at the first meeting of the

Local Plan Working Group, the Group will also be asked to approve these as their first business in order to show their commitment.

3 Reasons for Recommendation

- 3.1 In the light of the proposed changes to the NPPF which are likely to be implemented in 2025, it is an appropriate time to review these arrangements for the Local Plan Working Group

4 Alternative Options and Reasons for Rejection

- 4.1 To leave the current arrangements in place. This was rejected as those arrangements were put in place for a review of the Local Plan under existing arrangements with a longer period for doing the work. The Council is now likely to be required to submit a new Local Plan under the NPPF by December 2026.
- 4.2 Other arrangements for the Membership were rejected as using the proportionality rules is known and understood by all Members.

DOCUMENT INFORMATION

Appendix No	Title
1	Draft Terms of Reference for the Local Plan Working Group.
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	