

WIRRAL COUNCIL

CABINET – 14 JANUARY 2010

COUNCIL – 15 FEBRUARY 2010

REPORT OF THE DEPUTY CHIEF EXECUTIVE AND DIRECTOR OF CORPORATE SERVICES

LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL – APPROVAL OF AMENDED LOCAL DEVELOPMENT SCHEME

1 Executive Summary

- 1.1 Cabinet on 23 July 2009 (Minute 63) resolved that a revised Local Development Scheme for Wirral should be submitted for the approval of the Secretary of State. The Secretary of State approved the revised Scheme by letter on 23 November 2009. A resolution of Council is now required to bring the final Scheme into legal effect.
- 1.2 This report recommends that the amended Local Development Scheme, attached to this report, is approved and that Council is recommended to resolve that the Local Development Scheme is brought into legal effect. The report also recommends the distribution of the annual award of Housing and Planning Delivery Grant for 2009/10.

2 Background

- 2.1 The Local Development Scheme for Wirral sets the programme for the preparation of the Council's Local Development Framework. The Scheme is a statutory document and must be submitted for approval to the Secretary of State before it can be brought into effect by Council resolution. Only documents included in an approved Local Development Scheme can be included in the Local Development Framework.
- 2.2 A review of the Local Development Scheme last approved by the Council in July 2007 (Council, Minute 30) was undertaken earlier this year to secure more effective progress on the preparation of the Core Strategy.

3 Approval of Draft Review

- 3.1 Cabinet considered the draft revised Local Development Scheme on 23 July 2009 (Minute 63). Cabinet resolved that the draft Local Development Scheme, be approved for submission to Secretary of State, subject to the deletion of the Birkenhead Docklands Area Action Plan from the schedule of documents to be prepared. Cabinet also wished that the forthcoming Birkenhead Integrated Regeneration Strategy be reflected and integrated into the Local Development Framework and Core Strategy in the most appropriate manner
- 3.2 The resolution gave delegated authority to the Director of Corporate Services to agree any amendments to the draft Scheme required by the Secretary of State as a condition of

his approval, but that any changes with financial implications be reported to Cabinet as soon as possible.

4 Amendments by the Secretary of State

4.1 The draft revised Scheme was submitted to the Secretary of State on 10 August 2009.

4.2 The Secretary of State has required a number of changes to the draft Scheme as a condition of his approval:

1) Inclusion of reference in paragraph 4.8 to milestones having been agreed with GONW

2) Clarification of changes to the Development Plan Regulations in paragraph 4.9.

3) Clarification in paragraph 6.2 (last sentence) to say 'The SA Scoping Report for the CS was adopted in July 2007'

4) Clarification in paragraph 11.1 that the timetable set out in the LDS should only be reviewed exceptionally.

5) Amendments to ensure consistency between Appendix 3 and Appendix 4.

6) Amendments to Appendix 4 to replace key milestones of 'Pre-examination Meeting' and 'Public examination' with 'Pre-Hearing Meeting' and 'Hearing' respectively in light of new advice from the Planning Inspectorate.

7) Time period for Site Allocations DPD in Appendix 4.2 changed to 'up to 15 years' to account for the potential need to make housing allocations for phase 3 of the Core Strategy period.

8) Merseyside Waste DPD timetable in Appendix 4.3 amended to reflect latest production timetable.

9) Appendix 5 para 18 amended to reflect that not all SPDs will be subject to sustainability appraisal further to the introduction of the Planning Act 2008 and subsequent Regulations

5 Final Approved Scheme

5.1 A copy of the final version of the amended Local Development Scheme for Wirral, as approved by the Secretary of State on 23rd November 2009, is attached to this report.

5.2 The Town and Country Planning (Local Development) (England) Regulations now require that the Council formally resolves to bring the Local Development Scheme into legal effect. The Council's Constitution requires this to be a resolution of Full Council.

6 Financial Implications

- 6.1 The financial implications are as reported to Cabinet on 23 July 2009. There are no additional financial implications arising from the changes required by the Secretary of State.
- 6.2 The costs set out within the Local Development Scheme, as approved, are reproduced in the table below. Funding for future years, will need to be considered as growth items, at the appropriate time.

| Year | Core Strategy DPD | Site Allocations DPDs | Joint Waste DPD |
|---------|----------------------|--------------------------|--------------------|
| 2009/10 | £83,000 | n/a | £48,563 |
| 2010/11 | £98,000 | n/a | £70,894 |
| 2011/12 | £90,000 | £50,000 | £42,284 |
| 2012/13 | n/a | £100,00 | n/a |
| 2013/14 | n/a | £90,000 | n/a |

- 6.3 The costs for the future years of the Merseyside Joint Waste DPD are still to be agreed by the six partner authorities.
- 6.4 Future awards of Housing and Planning Delivery Grant (HPDG) can be used to contribute towards some of these costs.
- 6.5 The provisional award of HPDG for 2009/10, which is expected to be confirmed for payment in February 2010, is £110,040 - with £73,125 awarded for a five year housing land supply including the sites contained within the Growth Point Programme of Development approved by the Government in December 2008; £27,000 awarded for joint working on the Joint Waste DPD; and £9,915 awarded for the publication of a Strategic Housing Market Assessment, which was commissioned by the Director of Regeneration.
- 6.6 It is recommended that HPDG is allocated to Council budgets in line with the reasons for each award, with the remainder used to support the continued preparation of the Core Strategy DPD. HPDG is a vital element of the funding required to take forward the next stages of the Core Strategy, and without it the programme as set out in the Local Development Scheme would be severely delayed.

7 Staffing Implications

- 7.1 There are no staffing implications arising directly from this report.

8 Equal Opportunities Implications

- 8.1 There are no implications for equal opportunities arising directly from this report.

8.2 The Local Development Framework will, however, be drawn up to promote equal opportunities irrespective of age, gender, religion, disability or sexual orientation.

9 Community Safety Implications

9.1 There are no community safety implications arising from this report.

9.2 The Local Development Framework will, however, contain policies intended to minimise the risk from pollution and hazards and to promote highway safety.

10 Local Agenda 21 Implications

10.1 There are no Local Agenda 21 implications arising from this report.

10.2 The Local Development Framework will, however, be subject to a statutory sustainability appraisal process, including strategic environmental assessment and appropriate assessment under the Habitats Regulations.

11 Planning Implications

11.1 These are as set out in the report

12 Anti- Poverty Implications

12.1 The Local Development Framework will support the delivery of the Council's Investment Strategy which seeks a step change in the level economic activity in the Borough reducing increasing employment and reducing worklessness

13 Human Rights Implications

13.1 There are no human rights implications arising from this report.

14 Social Inclusion Implications

14.1 There are no implications arising from this report

15 Local Member Support Implications

15.1 This report has no specific Ward Member implications.

16 Recommendations

That Cabinet recommends to Council that:

- (1) the Local Development Scheme attached to this report, as approved by the Secretary of State, be approved; and
- (2) that Council resolves to bring the approved Local Development Scheme into legal effect on the Monday following the date the resolution of Council is passed.
- (3) that HPDG be distributed with £9,915 allocated to the Department of Regeneration for the publication of a Strategic Housing Market Assessment; £27,000 allocated to

the preparation of the Joint Waste DPD; and the remainder allocated to support the continued preparation of the Core Strategy DPD.

- (4) in the event that the provisional allocation of HPDG is altered, that the final award of grant is distributed on a similar basis.

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This report has been prepared by the Forward Planning Section who can be contacted on 691 8218.