

REVISIONS TO LOCAL DEVELOPMENT SCHEME (LOCAL PLAN WORK PROGRAMME)

Meeting	Report to support individual Cabinet Member decision
Report Author	Relevant Director/Head of Service/Service Manager
Portfolio Holder	Leader of the Council
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	N/A.

Executive Summary:

This report sets out the actions required to meet the Secretary of State's Local Plan direction letter dated 28 January 2019, and officers' recommendations for responding to the Direction.

Recommendation(s):

That the Council's Local Development Scheme be amended as set out in the table in para 2.7 of this report, and published on the Council's web-site by 25 March 2019.

CORPORATE IMPLICATIONS

Financial and Value for Money	No financial implications arise from this report on the basis that the review will be carried out from within existing in-house resource.
Legal	<i>This report results from a Direction from the Secretary of State in relation to the draft Thanet Local Plan.</i>
Corporate	<i>The risk arises from not following the Direction from the Secretary of State. Further action could be taken against the Council by the Secretary of State if it does not comply with the Direction, and there may also be a risk to the Local Plan process.</i>
Equality Act 2010 & Public Sector Equality Duty	Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

	Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.	
	Please indicate which aim is relevant to the report.	
	Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	
	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	
	Foster good relations between people who share a protected characteristic and people who do not share it.	
<p><i>This decision does not engage the PSED, as it only relates to the Local Plan timetable, and commitment to asn early review of the Plan.</i></p>		

CORPORATE PRIORITIES (tick those relevant)✓	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	

CORPORATE VALUES (tick those relevant)✓	
Delivering value for money	
Supporting the Workforce	
Promoting open communications	

1.0 Introduction and Background

- 1.1 On 16 November 2017, the Secretary of State (SoS) wrote to the Council regarding the draft Local Plan process and indicating that he was considering intervention in the process.
- 1.2 On 23 March 2018, the SoS wrote to the Council again to indicate that he had decided to continue with the intervention process by commissioning a team of experts led by Government's Chief Planner to provide advice on next steps.

2.0 The Current Situation

- 2.1 Following that process, on 28 January 2019 the Secretary of State [wrote to the Council](#) regarding the intervention process in respect of the draft Thanet Local Plan.
- 2.2 The SoS noted "*some positive actions and progress, including the publication of a Local Plan under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the publication of a revised Local Plan production timetable and the submission of a Local Plan under regulation 22*". He also concluded that "*it is unlikely that Local Plan production would be accelerated by my Department taking over its production*".
- 2.3 Nevertheless, the Secretary of State used his powers to make directions in relation to the draft Local Plan.
- 2.4 The directions to the Council were:

- within four weeks of the date of his letter (ie. by 28 February 2019) to designate a lead Councillor and lead official to be responsible for progressing preparation of the Local Plan and to publish details of those designations; and
- within eight weeks of the date of his letter (ie. by 25 March 2019), to amend its Local Development Scheme (dated July 2018) to provide for the completion of a review of their Local Plan within six months of its adoption.

2.5 The first part of the direction has been complied with. A letter was sent to the SoS on 25 February and details were published on the Council's web-site on the same day (see Background Papers).

2.6 The second part of the direction is the subject of this report. Officers are proposing the following changes to the Local Development Scheme (LDS), which address the direction, and make some other minor changes to update the document.

2.7 The proposed changes are as follows (~~Strikeout~~ = deletion; **Bold** = new text):

LDS reference	Proposed change
p3, Current position, para 1.5	Since the last LDS was agreed, significant progress has been made in preparing the draft Local Plan. Proposed Revisions were published for consultation in January 2017, and the Council is currently finalising the pre-Submission draft Plan ready for Publication and Submission as set out in Section 3. The draft Plan was published under Reg 19 on 23 August 2018, and was subsequently submitted for Examination on 30 October 2018. The Examination hearings are due to commence on Tuesday 2 April 2019.
p3, new para 1.7	Secretary of State Direction letter 1.7 The Secretary of State has issued a Direction regarding the Local Plan, to "amend its Local Development Scheme (dated July 2018) to provide for the completion of a review of their Local Plan within six months of its adoption".
p5, add to end of para 2.4	The Council will, subject to any relevant recommendations by the Local Plan Examination Inspectors, carry out a review of the Local Plan within six months of its adoption.
p7, Document schedule	Reg 19 Publication stage – August 2018 Reg 22 Submission stage – October 2018 Examination hearings start February 2019 Adoption anticipated summer 2019

	<ul style="list-style-type: none"> • Examination hearings start 2 April 2019 • Adoption anticipated Spring 2020 (<i>please note that this is only an estimate based on recent Local Plan Examination programmes</i>) • Review Local Plan within six months of adoption (subject to any relevant recommendations by the Local Plan Examination Inspectors)
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3.0 Options – N/A.

3.1 This is a direction from the Secretary of State.

4.0 Next Steps

4.1 The revised Local Development Scheme needs to be published by 25 March 2019, to comply with the Secretary of State's direction letter.

Contact Officer:	<i>Adrian Verrall, Strategic Planning Manager, extn 7139</i>
Reporting to:	<i>Bob Porter, Head of Housing & Planning, extn</i>

Annex List - None.

<i>Annex 1 - none</i>	<i>N/A</i>
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Background Papers

Title	Details of where to access copy
Secretary of State letter re Local Plan intervention	https://www.thanet.gov.uk/info-pages/correspondence-relating-to-the-local-plan-intervention/
TDC response to SoS letter	

Corporate Consultation

Finance	Matt Sanham Interim of Financial Services & Procurement
Legal	Tim Howes Director of Corporate Governance

Ref:

Called in Yes/No

THE THANET DISTRICT COUNCIL

RECORD OF DECISION OF INDIVIDUAL CABINET MEMBER

Name of Cabinet Member:

Relevant Portfolio:

Date of Decision:

Subject:

Key Decision

Yes	<input type="checkbox"/>	No	X
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 In Forward Plan

Yes	<input type="checkbox"/>	No	X
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Brief summary of matter:

Decision made:

Reasons for decision:

Alternatives considered and why rejected:

Details of any conflict of interest declared by any executive Member who has been consulted and of any dispensation granted by the Standards Committee:

Author and date of officer report:

Background papers:

<https://www.thanet.gov.uk/info-pages/correspondence-relating-to-the-local-plan-intervention/>

Statement if decision is an urgent one and therefore not subject to call-in:

Signature: *(Only needed if an individual Cabinet Member Decision)*