

AGENDA ITEM No. 11

PEAK DISTRICT NATIONAL PARK AUTHORITY
NATIONAL PARK AUTHORITY ANNUAL MEETING
26 JUNE 2009
CHIEF EXECUTIVE

PART A

1. LOCAL DEVELOPMENT FRAMEWORK – REVISED TIMETABLE (A6101/ RG)

Purpose of the report

1. To authorise a revised project plan with key milestones for preparation of the Local Development Framework.

Recommendations

2.
 1. **Members note the progress made to date in preparing the Local Development Framework**
 2. **Members approve the revised milestones for preparation of the Local Development Framework, proposed and supported by the Project Board and Plans Review Task Team, set out in paragraphs 17 and 18.**

How does this contribute to our policies and legal obligations?

3. The Planning and Compulsory Purchase Act 2004 introduced a new system for development plans in England and set out new regulations for their preparation. Included within this system is the production of a Local Development Framework (LDF) by all local planning authorities. These regulations were amended in 2008 to reflect a new focus on justifying the plan with robust evidence and proving the effectiveness of the plan all through a series of “soundness” tests.
4. LDFs comprise of a suite of planning documents known as Local Development Documents comprising some administrative and procedural documents and others which form part of the Development Plan for the area alongside the East Midlands Regional Plan. These are developed through a programme of key stages that follow the regulations. The Authority is currently in the production stage of a Core Strategy.
5. The LDF supports the delivery of a number of outcomes in the National Park Management Plan by specifically considering the spatial implications of these outcomes and translating them firmly into planning policy.

Background

6. The Authority is currently in the production stage of a Core Strategy, incorporating broad aims and overarching policies for spatial development and appropriate levels of Development Control Policies for a range of land use matters.
7. The LDF was last reported to Authority on 3 October 2008 (Minute Reference 76/08), seeking approval for officers to run a process of consultation on the Refined Options proposals. Throughout 2008/9 we have made good progress with engagement and gathering of robust evidence with partner authorities.

8. We have undertaken high quality stakeholder and community level consultation on a range of themes and across spatial areas. This enabled a well evidenced Refined Options consultation, which the Authority chose to publish for a 12 week period to offer best practice and the ability for community and partners to properly engage on the emerging options. As part of this consultation we used a variety of media to communicate ideas and give people the opportunity to make comment. This early consultation and evidence gathering, will allow us to satisfy a significant element of moving through Preferred Options to our Final Plan.
9. There are a number of reasons why we now need to ask the Authority to agree to a revision of the key milestones in the project plan. These are set out below:
 - After the close of consultations on 10 April, we received a much larger number than expected and fuller responses than anticipated. Whilst this is a good thing, it also adds a considerable amount of work as each comment from consultees must be logged on our system and demonstrably taken into account in our plan. There was not enough time allocated for this in the previous project plan.
 - New Government guidelines on the Delivery and Implementation arrangements require that these are prepared and consulted on at the same time as the draft plan and preferred options stages. We will need a little extra time to get these right.
 - Addressing the 10 issues that were unresolved from the previous consultation has taken a longer to agree than had been planned in for, although they are now completed.
 - The transport team and the minerals consultant have had very constrained availability up to the recent deadlines for the committee reports on the minerals and transport plans and indeed further work will now be required on each of those following the 22 May Authority.
 - We are also building in more time for quality assurance, member involvement, peer review and review time by other key internal officers, which should help to ensure that we deliver a high quality Core Strategy document.
10. As part of our quality assurance processes we will be making use of the Planning Inspectorate – through a visit which will provide a preliminary view on the issues which form the subsequent judgements of soundness by an Inspector This will give us access to the services of an experienced Development Plans Inspector for five days, to review and give advice on our emerging Core Strategy, project plan etc.
11. The LDF Project Board and the Plans Review Task Team (PRTT) have both considered this information and support a revision of the project milestones to ensure that the quality of the plan is not compromised.
12. The PRTT has asked that a member briefing workshop is put into the project plan prior to the Authority considering the Preferred Options. A suitable date for this is being identified.

Proposals

13. The factors set out in paragraph 9 above already mean that it would not have been possible to bring a robust Preferred Options document to June Authority, as previously planned. Therefore the remaining scenarios (outlined below) arise from consideration of when the Preferred Options document could realistically be available for Authority agreement.

14. The Project Team is highly focused on preparing the Preferred Options document and is working towards the document being ready for approval by Authority on 2 October 2009. However, there are a number of risks associated with the project, mainly from resources being utilised 100% of their time on the LDF when there is still high priority non-LDF work to be undertaken, the possibility of sickness absence, and the potential for our estimated time per task being incorrect. For a number of these risks the only suitable control measure is to have a time contingency within the project plan. A time contingency had not previously been included in the plan, which is a significant risk in its own right.
15. The PRTT recognised the need to put the LDF project plan on to a firmer footing and has proposed that the project plan is targeted to bring the Preferred Options to the Authority meeting on 2 October 2009 (this is scenario 1). However, with such a tight project plan a time contingency could allow for the Preferred Options document to be presented to Authority in 4 December; if significant risks do arise (this is scenario 2).
16. Consideration of this time contingency is already helping to bring stability and greater confidence to the project planning process. This is likely to pay dividends in terms of the quality and soundness of the Core Strategy document.
17. Revision of the date for preparation of the Preferred Options will have an impact on the later stages of the project. The following table sets out the revised project milestones based on achieving Scenario 1 – i.e. Preferred Options by 2 October Authority meeting:

Stage	Target date
• Preferred Options presented to the Authority	2 October 2009
• Submission version	May 2010
• Submission to Secretary of State	See below

Following agreement by Authority of the Submission version there are a number of technical tasks necessary prior to Submission to the Secretary of State. At this point in time we estimate this will take around 12 weeks. At the time of presenting the Submission version to Authority we will be able to advise members of these timescales.

18. However, if risks arise and the time contingency is required, the Preferred Options document will be brought to the Authority on 4 December (Scenario 2) and it will impact on the subsequent dates, as follows:

Stage	Target date
• Preferred Options presented to Authority	4 December 2009
• Submission version presented to Authority	July 2010
• Submission to Secretary of State	See below

The same provisions set out in paragraph 17 about Submission to the Secretary of State apply.

19. If members agree to this revision to the project plan we will work with the Government Office to agree a new Local Development Scheme (LDS) and present this to Authority at the same time as the Preferred Options.

Are there any corporate implications members should be concerned about?

20. **Financial:** There is scope for reward through the Housing and Planning delivery Grant (HPDG) for reaching the Submission and Adoption stages of plan production in accordance with published milestones in the LDS. The HPDG regime comes to an end in April 2011, therefore all LDFs have to be completed within this timeframe to be able to take advantage of reward grant. We are reasonably confident that completion by 2011, as demonstrated by both scenarios above, would result in HPDG if the LDS is now revised in line with the new milestones. There is however a risk that the total pot of HPDG funds available nationally is diminishing.
21. **Risk Management:** The acknowledgement and agreement to include a time contingency within the LDF project plan significantly addresses a number of high risks in the project risk register.
22. **Sustainability:** Putting the LDF project onto a more stable footing helps increase confidence in the project planning. This is likely to have positive effects on the ability of the Project Team to deliver a quality plan that passes the Inspector's tests of soundness but more significantly provides a quality Core Strategy for the future of the National Park.
23. **Consultees:** Planning Policy Manager and Head of Planning.
24. **Background papers**

None

Appendices

None

Report Author, Job Title and Publication Date

Rachel Gillis, Head of Policy, 18 June 2009