

REPORT FOR DECISION



DECISION MAKER:	CABINET
DATE:	2 MARCH 2016
SUBJECT:	BURY LOCAL PLAN – LOCAL DEVELOPMENT SCHEME
REPORT FROM:	COUNCILLOR SANDRA WALMSLEY CABINET MEMBER – RESOURCES AND REGULATION
CONTACT OFFICER:	DAVID WIGGINS – UNIT MANAGER: DEVELOPMENT PLANNING
TYPE OF DECISION:	CABINET (KEY DECISION)
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	<p>The latest Local Development Scheme (LDS) sets out the scope and preparation timetable for Bury’s development plan, including the Local Plan, the Greater Manchester Spatial Framework and other associated documents. It shows that progress on Bury’s Local Plan is to be aligned with the Greater Manchester Spatial Framework, allowing us to share resources and evidence.</p> <p>Members are being asked to approve the revised LDS (March 2016) and to resolve that it shall have effect from the date of this decision.</p> <p>Members are also requested to authorise the Interim Executive Director of Resources and Regulation in consultation with the Cabinet Member for Resources and Regulation to make any future timetable amendments as necessary together with any changes to the document content of the LDS.</p>
OPTIONS	<p>That Members approve the LDS (March 2016) and resolve that it shall have effect from 2 March 2016, and be published on the Council’s website.</p> <p>That Members authorise the Interim Executive Director of Resources and Regulation in consultation with the Cabinet Member for Resources and Regulation to make</p>

	<p>any future timetable amendments as necessary (including on the direction of the Secretary of State) together with any changes to the document content of the LDS and to resolve the date from which such amendments shall have effect.</p> <p>Option 2</p> <p>That Members seek revisions to the proposed LDS – Members to specify the nature of any revisions to be sought.</p> <p>Reasons</p> <p>The Planning and Compulsory Purchase Act 2004 (as amended) requires Local Planning Authorities to prepare and maintain a LDS. The approval of the revised LDS will ensure that this requirement is complied with and the LDS is up-to-date.</p> <p>The delegated authority for revisions as outlined in Option 1 is considered necessary to allow for amendments to the timetable and contents of the LDS.</p>
IMPLICATIONS:	
Corporate Aims/Policy Framework:	<p>Do the proposals accord with the Policy Framework? Yes</p> <p>The existing Bury Unitary Development Plan forms part of the Council’s Policy Framework (being one of the statutory plans listed under Article 4 of the Council’s Constitution) and will ultimately be replaced by a new Bury Local Plan that is to be produced under the arrangements of the Planning and Compulsory Purchase Act 2004(as amended) and statutory instruments and guidance resulting there from.</p>
Statement by the S151 Officer: Financial Implications and Risk Considerations:	<p>The work programmes set out in the LDS will require significant commitment of staff resources in the Strategic Planning and Economic Development team and there are likely to be costs associated with the production of documents and progress of the statutory procedures to adoption. These costs will be met from existing resources.</p>
Statement by Executive Director of Resources:	<p>There is a requirement for each Local Planning Authority to produce a Local Plan for its area. The revised LDS sets out the timetable for Bury’s Local Plan, including the</p>

	GMSF. Members are requested to support the proposals for Bury's LDS as a realistic and practical approach to Local Plan preparation, making use of existing resources, to replace the existing Bury UDP and its associated documents.
Equality/Diversity implications:	No An initial screening has been undertaken (see attached assessment) and as there were no negative impacts identified for affected groups, there is no requirement to proceed to a Full Impact Assessment.
Considered by Monitoring Officer:	Yes Any subsequent Development Plan will have to be approved by the Council as part of the Policy Framework (unless there is a legislative change)'. There are no other legal concerns at this point, but if the proposal is approved, further detailed input will be required from the Council Solicitor.
Wards Affected:	All
Scrutiny Interest:	

TRACKING/PROCESS

INTERIM DIRECTOR: STEVE KENYON – RES & REG

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
Scrutiny Committee	Cabinet/Committee	Council	

1.0 BACKGROUND

- 1.1 In March 2015, Cabinet Members agreed to the withdrawal of Bury's Core Strategy and for work to commence on a new Local Plan that can be developed alongside the Greater Manchester Spatial Framework (GMSF) in

a coordinated way. The new Local Plan will set out planning policies for the Borough and will form the basis for guiding and controlling future growth and development within the Borough.

- 1.2 The Planning and Compulsory Purchase Act 2004 (as amended) requires all authorities to produce a **Local Development Scheme (LDS)** which, amongst other requirements, sets out their timetable for preparing their Local Plan, to be revised at such time as they consider appropriate.
- 1.3 The authority for previous minor amendments to the LDS was delegated to the then Director of Environment and Development Services in consultation with the Executive Member for Neighbourhoods and Regeneration, by the Council's Cabinet on 10 October 2012 and it is recommended that these arrangements are maintained with the Interim Executive Director and Cabinet Member for Resources and Regulation.
- 1.4 Bury's latest update to the LDS was approved under the delegated arrangements in November 2013 and this set out the programme and timetable for the now withdrawn Core Strategy. Since then, there have been some fundamental changes to planning policy, particularly in terms of national policy on Local Plans and the on-going preparation of the Greater Manchester Spatial Framework. These changes have necessitated making significant revisions to the LDS that are considered to be beyond the scope of the current arrangements for delegated approval.
- 1.5 To bring the LDS into effect, the local planning authority must resolve that the scheme is to have effect and in the resolution specify the date from which the scheme is to have effect. This report seeks approval for the Local Development Scheme (March 2016) to have effect from 2 March 2016.
- 1.6 As a result of changes brought forward by the Localism Act 2011, it is no longer necessary for the LDS to be submitted to the Secretary of State (although the Secretary of State may direct that the LPA make any changes he thinks appropriate).

2.0 ISSUES

- 2.1 As indicated above, there is a requirement to produce and maintain a LDS that should include an up-to-date project plan for the Local Plan setting out its scope, geographic coverage and timetable.

Summary of Changes to the Local Development Scheme

- 2.2 The previous LDS proposed a suite of development plan documents, including an initial Core Strategy (policy document) that was to be subsequently followed by an Allocations Plan (setting out development sites). National planning guidance now identifies that these documents should to be produced together.
- 2.3 A revised LDS is now required to reflect the need to prepare an all encompassing Local Plan and also to reflect the fact that the Council is

also progressing the GMSF (which will, in effect, form part of the Borough's statutory development plan).

2.4 The revised LDS sets out the following timetable for the next steps in the preparation of the Bury Local Plan:

- Consultation on the Sustainability Appraisal Scoping Report: May - June 2016
- Consultation on a Draft Local Plan: October – November 2016
- Publication of proposed submission documents: July 2017
- Submission: November 2017
- Examination: Early 2018
- Adoption: Late 2018

2.5 It should be noted that Bury's Local Plan timetable proposes to run parallel to the current GMSF timetable. It is likely that the timetables for both documents will need to be revised over the next two years to reflect unforeseen circumstances that cannot be anticipated at this stage (e.g. final committee dates, changes to national planning policy/legislation)

2.6 The GMSF, together with the Local Plan, the Greater Manchester Joint Waste Plan and the Greater Manchester Joint Minerals Plan, will form part of Bury's collective development plan.

Monitoring and Review

2.7 Progress with the preparation of the documents within the LDS will be assessed each year as part of the Authority's Monitoring Report. The Localism Act 2011 also requires up-to-date information showing the state of the authority's compliance (or non-compliance) with the LDS timetable to be made available to the public. This information will be published on the Council's website.

2.8 In order to ensure the timetable is kept up-to-date, authority is sought for the Interim Director and Cabinet Member for Resources and Regulation to make any future timetable amendments as necessary together with any changes to the content of the LDS, and to resolve the date from which such amendments shall have effect. This may include where the Secretary of State may direct the authority to make any changes he considers appropriate.

2.9 The Government is currently examining ways in which local authorities can be compelled to progress their Local Plans. The LDS may need to be changed at a later date to reflect any emerging guidance, which may force the submission of Bury's Local Plan to be accelerated.

Decision Making

2.10 Members attention is also drawn to the decision making requirements for the various documents that will form part of or support the development plan. These requirements are set out in the Bury LDS and include the following:

- 2.11 The levels of political responsibility for approving the Local Plan at its various stages of preparation are as follows:
- Cabinet Decision for the draft Local Plan;
 - Full Council resolution required for the Publication Plan (with delegated powers given to the Cabinet Member for Resources and Regulation to approve minor post-publication changes and the Submission of Local Plan to the Secretary of State); and
 - Full Council resolution to adopt the Plan.
- 2.12 For the Greater Manchester Spatial Framework, the levels of political responsibility have already been agreed at full Council and are as follows:
- AGMA Executive decision for all pre-submission stages until the election of a Greater Manchester Mayor in 2017 at which point approval will be required from the Mayor and the GMCA Cabinet; and
 - Full Council resolution required by each of the 10 Greater Manchester authorities for the submission and adoption stages.
- 2.13 For the Statement of Community Involvement and each Supplementary Planning Document the levels of political responsibility are as follows:
- Cabinet Decision for all stages, including adoption.

3.0 CONCLUSION

- 3.1 There is a requirement for each Local Planning Authority to produce a Local Plan for its area. The revised LDS sets out the timetable for Bury's Local Plan, including the GMSF. Members are requested to support the proposals for Bury's LDS as a realistic and practical approach to Local Plan preparation, making use of existing resources, to replace the existing Bury UDP and its associated documents.
- 3.2 The priority is to make progress on a draft Local Plan setting out the vision and policies for the Borough as soon as practicable whilst, at the same time, contributing (where resources allow) to the continued progression of the GMSF.
- 3.3 It is intended that this arrangement will give the Borough the scope to respond quickly and effectively to planning issues as they emerge and, in line with Government intentions, for the Borough to take a pro-active approach to getting an adopted plan in place as soon as practically possible.

List of Background Papers:

Bury Local Development Scheme - March 2016

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