

Committee: Scrutiny

Agenda Item

Date: 22 November 2016

12

Title: Planning Advisory Service Terms of Reference

Author: Richard Auty, Assistant Director Corporate Services

Item for information

Summary

1. The Planning Advisory Service has been engaged to review the Local Plan process. This report presents for members' information the terms of reference of that review.

Recommendations

2. None

Financial Implications

3. None

Background Papers

4. None

Impact

- 5.

Communication/Consultation	None
Community Safety	None
Equalities	None
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None

Situation

6. In September, officers from Planning approached the Planning Advisory Service to request their services as a “critical friend” for the Local Plan process before moving to the Regulation 19 stage, where an authority publishes its draft local plan and invites representations as to its soundness.
7. At about the same time, the Chairman of Scrutiny requested officers approach PAS to review the process.
8. PAS began its work with the intention of reporting to Scrutiny Committee shortly before the draft local plan would have gone to Full Council in November; however, due to the pause in the local plan process PAS stopped its work temporarily.
9. In order to avoid any confusion or duplication of effort, officers in Planning are leading on the liaison with PAS for the review. Following discussion with Planning, PAS has recommenced work with the aim of reporting back to Scrutiny in early 2017.
10. Below, for the committee’s information, are the agreed terms of reference which PAS is working to:
 - I. Is the present Local Plan timetable suitable for completing a sound Local Plan?
 - II. Is evidence adequate and robust to ensure that decisions on site allocations would be sufficiently informed?
 - III. Are there gaps in the necessary evidence to make these decisions? What are the significant gaps?
 - IV. Is evidence impartial and even-handed?
 - V. Has the Duty to Cooperate requirements been carried out satisfactorily? Have relevant authorities in Cambridgeshire, Essex and Hertfordshire all been adequately involved, especially but not only those in UDC’s Strategic Housing Market Area?
 - VI. What would be the risks involved in extending the timetable for the work programme and delaying the submission date for the plan’s examination? What would be the risks in not extending the timetable if the plan is not yet ready for submission?

- VII. Has UDC has so far followed a sound process that is leading towards a sound Local Plan that has low risk of rejection at Examination in Public?
- VIII. In carrying out the work, PAS should have regard to the commentary and any associated report(s) on the Pre-submission Local Plan from Troy Consulting dated October 2016 and email correspondence from Braintree District Council on October 14th.
- IX. Are there any other issues to be advised which may pose significant risks to the plan being found sound at Examination?