
Cabinet

10th December 2024

Name of Cabinet Member:

Cabinet Member for Housing and Communities – Councillor N Akhtar

Director Approving Submission of the report:

Director of City Services and Commercial

Ward(s) affected:

All Wards

Title: Local Development Scheme (LDS) update

Is this a key decision?

Yes – This report effects people living and working in more than 2 wards in the City

Executive Summary:

Further to Cabinet and Councils decision to progress with a full review of the Coventry Local Plan in November 2022, the Local Development Scheme has been updated to indicate the timescales and the ongoing process of the review. The Local Authorities Local Development Scheme should be kept up to date and made publicly available in order enable the local community and interested parties to be informed of progress.

Further to the initial stage of public consultation held in 2023, the timescales have been reviewed and an updated LDS produced, attached at Appendix One to the report to illustrate the progress of the Local Plan Review.

Recommendation:

Cabinet is requested to:

- 1) Approve the adoption of the draft Local Development Scheme attached at Appendix 1 to the report.
- 2) Approve that the draft Local Development Scheme attached at Appendix 1 to the report, will have effect from 11th December 2024.

List of Appendices included:

Appendix 1 - Draft Local Development Scheme December 2024

Background papers:

None

Other useful documents

Adopted Local Development Scheme February 2024
15th November 2022 Cabinet Report - Local Plan Review
2017 Local Plan

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No – however the Local Plan Review is informed by Local Plan Cabinet Advisory Panel

Will this report go to Council?

No

Report title: Local Development Scheme Update

1. Context (or background)

1.1. The Planning & Compulsory Planning Act 2004, as amended by the Localism Act 2011, requires each local planning authority to prepare and maintain a document setting out the programme for the preparation of planning documents. This is known as the Local Development Scheme (LDS).

1.2. The LDS is a project plan for preparing planning documents, but it is not a policy document itself. It provides a starting point for the local community and stakeholders to find out what planning documents are being prepared by the Council and the timetable for when these documents will be produced. In particular, it sets out the timetable for the review and update of the Council's Local Plan and outlines the dates when there will be formal opportunities to get involved with the plan making process.

1.3. Local Plans must be considered for review at least once every five years, as laid out in Paragraph 33 of the National Planning Policy Framework:

“Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary”

1.2 In November 2022, Cabinet and Council gave authority to progress with a full review of the Local Plan, seeking to assess if the existing suite of policies had proven effective in decision making, and if these policies aligned with the wider corporate objectives of the Local Authority.

1.3 Cabinet authority was then sought in July 2023 in order to undertake the initial stage of public consultation upon the Local Plan Review. Following this, a Regulation 18 'issues and options' public consultation was undertaken between 18th July and 29th September 2023.

1.4 Further to analysis of the representations received from public consultation, which informs the necessary evidence base to progress to further stages of the plan review, the Local Development Scheme has been reviewed to ensure that the timescales presented provide an accurate forecast of the forthcoming stages.

1.5 There are several variables that may lead to that timeline being extended including the unavailability of Inspectors to convene the Examination in Public or a longer time needed to assess and integrate complex representations to the consultations. Any significant delays will be reported to Cabinet in future reports.

1.6 An indicative timeline of the plan review is shown below and is included in a refreshed Local Development Scheme at Appendix One to the report.

	2023						2024												2025											
	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Reg 18 consultation (Issues & Options)																														
Representation analyses																														
Update and commission evidence base																														
Update Local Development Scheme (LDS)																														
Local Plan Advisory Panel Engagement																														
Policy & Plan preparation																														
Reg 19 (Publication) Plan to Cabinet																														
Update Local Development Scheme (LDS)																														
Reg 19 consultation																														
Representation analysis / prep for submission																														
Council authority to submit plan																														
Submit for examination																														
Examination in public																														
Inspectors report / prep report to Council																														
Local Plan Adoption																														

2. Options considered and recommended proposal.

- 2.1 Cabinet could choose to seek revisions to the LDS and choose not to adopt the draft Local Development Scheme December 2024 at this stage, however publication of the timelines aids local communities and interested parties to monitor the progress of the Local Plan Review, and is informed by public consultation to date. Furthermore, the production of the LDS is a legal requirement and were this course of action to be pursued, the Council would contravene the relevant statutory requirements. It should be noted that the government is monitoring all local authorities to ensure that their Local Plans are prepared in accordance with the published LDS. Failure to have an up-to-date LDS could therefore result in poor national monitoring outcomes with the consequential reputational damage. As such this option is not recommended.
- 2.2 Cabinet could choose to adopt the draft Local Development Scheme December 2024 to update local communities and interested parties of the progress of the local plan review. This option is recommended.

3. Results of consultation undertaken

- 3.1. Whilst no direct consultation has taken place on the LDS, the timelines of the Local Plan Review are informed by regulation 18 consultation which was held between 18th July and 29th September 2023.

4. Timetable for implementing this decision

- 4.1. The decision will be implemented as soon as practicable.

5. Comments from the Director of Finance and Resources and the Director of Law and Governance

5.1. Financial implications

There are no direct financial implications of publication of the updated Local Development scheme, however costs are associated to the ongoing Local Plan Review. An estimation of associated costs was provided within the November 2022 Cabinet Report, whilst the costs of required evidence base and Examination stages will be updated summarised in a future report ahead of proceeding to any submission for examination, this will allow for a more accurate estimation of both time and location costs.

5.2. Legal implications

5.2.1 Local Planning Authorities must prepare and maintain a scheme to be known as their Local Development Scheme (LDS).

5.2.2 The LDS must specify broadly:

- (a) the local development documents which are to be development plan documents;
- (b) the subject matter and geographical area to which each development plan document is to relate;
- (c) which develop plan documents are to be prepared jointly with other local planning authorities; and
- (d) the timetable for preparation and revision of the development plan documents.

5.2.3 If a local planning authority fails to prepare an LDS, the secretary of state may do so and direct that the same is brought into effect.

5.2.4 To bring an LDS into effect, a local planning authority must resolve that the scheme is to have effect and specify the date from which the scheme is to have effect.

5.2.5 A local planning authority must:

- (a) revise an LDS at such time as they consider appropriate; and
- (b) make the following available to the public:
 - (i) the up-to-date text of the LDS,
 - (ii) a copy of any amendments made to the LDS, and,
 - (iii) up-to-date information showing the state of the authority's compliance (or non-compliance) with the timetable for the preparation and revision of the development plan documents.

6. Other implications

6.1. How will this contribute to the One Coventry Plan?

<https://www.coventry.gov.uk/strategies-plans-policies/one-coventry-plan>)

Through progressing the timelines within the LDS, the Local Plan will continue to contribute to aims of the Council Plan such as improving the lives of current and future residents, ensuring the delivery of affordable homes, employment opportunities and accessible open space.

6.2. How is risk being managed?

An internal risk log has been developed and will be updated as progress is made or changes occur and will be reviewed at the monthly Plan Review meeting held between officers and the Cabinet Member for Communities and Housing.

6.3. What is the impact on the organisation?

There will be a staffing and resource impact from these proposals in order to deliver upon the stated timelines, however these are anticipated to be absorbed within current staffing provision.

6.4. Equality/ EIA

A full Equality and Impact Assessment (EqIA) was undertaken as part of developing the Local Plan. As part of that analysis, the Council had due regard to its public sector equality duty under section 149 of the Equality Act (2010).

6.5. Implications for (or impact on) climate change and the environment

The continued development of a reviewed Plan as outlined in the LDS will allow the Council to consider additional policies related to climate change and the environment.

6.6. Implications for partner organisations?

None

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