



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

17 OCTOBER 2019

PROPOSALS FOR A DRAFT DELIVERY AGREEMENT FOR THE RHONDDA CYNON TAF REVISED LOCAL DEVELOPMENT PLAN

REPORT OF THE DIRECTOR OF PROSPERITY AND DEVELOPMENT IN DISCUSSIONS WITH THE CABINET MEMBER FOR ENTERPRISE, DEVELOPMENT AND HOUSING, COUNCILLOR BEVAN

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1.0 PURPOSE OF THE REPORT

- 1.1 Cabinet agreed on the 18th June 2019 to undertake a review of the Rhondda Cynon Taf Local Development Plan (LDP) and agreed for officers to commence work on the preparation of a formal LDP Review Report and a Draft Delivery Agreement for the revision of the LDP. These key documents were then to be presented to Cabinet, prior to seeking full Council resolution of them in the Autumn.
- 1.2 Following Cabinet approval of the Rhondda Cynon Taf Local Development Plan Review Report, which concluded that a Revised LDP is required, approval is now sought for the content and conclusions of the Draft Delivery Agreement and approval to undertake targeted consultation on the document.

2.0 RECOMMENDATIONS

It is recommended that Cabinet;

- 2.1 Approve the content and conclusion of the Rhondda Cynon Taf Local Development Plan Delivery Agreement (DA) (attached as Appendix 1 of this report), which outlines the timetable and method of community involvement and engagement of a Revised Local Development Plan for Rhondda Cynon Taf.
- 2.2 Allow for the Delivery Agreement (DA) to be circulated to targeted stakeholder bodies in order to gain their formal comments on the content and conclusions of the DA. Welsh Government have already

been involved in early stages of the preparation and content of the document and will continue to be so.

- 2.3 Give authorisation to the Cabinet Member for Enterprise, Development and Housing to agree, through a delegated decision, that any necessary amendments are made to this Delivery Agreement as a result of the stakeholder engagement, prior to reporting the Delivery Agreement to full Council for approval.

3.0 REASONS FOR RECOMMENDATIONS

- 3.1 The Rhondda Cynon Taf LDP was adopted in March 2011. The LDP sets out its aims, vision and objectives for the future of the County Borough, a spatial development strategy and a land use planning policy framework to enable its successful delivery. The LDP has formed the basis for decisions on new development in the County Borough, (excluding the area within the Brecon Beacons National Park) since 2011, with the plan having an end date of 2021.
- 3.2 The Council has to monitor the success of the plan and is required in accordance with the Legislation to undertake a review of it. The Council has reviewed the Local Development Plan and has reported its findings in a Review Report. The Review Report has concluded that a Revised LDP is required. This was due to a number of issues including changes in Legislation and Policy since the current plan was prepared and failure to deliver the allocations as expected.
- 3.3 Given the need to revise the LDP as indicated above it is necessary in accordance with the LDP Regulations to produce a Revised Delivery Agreement to ensure the efficient production of a Revised Plan. There have also been changes to the engagement process since the preparation of the existing LDP, which will need to be reflected in the DA. There have also been updates to methods of consultation since producing the current plan such as the rise of social media, which can be reflected in the document.

What is the Delivery Agreement?

- 3.4 A Delivery Agreement (DA) is a project management tool that must consist of two parts, the Timetable and the Community Involvement Scheme (CIS). The purpose of the DA is to establish commitment from the Local Planning Authority (LPA) to prepare a Plan and to ensure early and full engagement and involvement in the preparation of the LDP with stakeholders. The Delivery Agreement must be produced prior to the formal preparation of the LDP, and forms an important and legal part of the process for the preparation of the Plan. Once approved the Delivery Agreement commits the LPA to produce or

revise its plan in line with the timescale and community engagement processes. Following a Council resolution to approve the Delivery Agreement it must be sent to Welsh Government for approval which can take up to 4 weeks. Once confirmation is received from Welsh Government that the Delivery Agreement is approved the Council are bound to it both in terms of timescales and the Community involvement scheme. Deviations from it may be subject to scrutiny at the LDP Examination.

3.5 The DA is comprised of the following sections:

Section A – The Project Management Timetable for the Revised LDP: The timetable details the stages in the preparation of the LDP and how the process of plan preparation will be project managed, it sets out in a realistic manner what the Authority can do in the timescale and with its budgetary and staffing resources available and the corporate framework in which the plan will be prepared. The timetable provides a clear indication of when each stage of the plan preparation process will take place.

Section B – The Community Involvement Scheme: The Community Involvement Scheme (CIS) sets out the LPAs principles, strategy and mechanisms for early and continuous community stakeholder involvement in the preparation of the LDP. The purpose of the CIS is to show how, who, and when the LPA will seek the views of its stakeholders including its communities, as the LDP progresses. The CIS is written to maximise collaboration between the Council and its stakeholders, in doing so it will discharge its duty under the Well-being of Future Generations Act.

4.0 Key Issues for Consideration

4.1 This following section identifies the key areas of content included in the Delivery Agreement, the Timetable, the Community Involvement Scheme, resources and budget implications.

The Timetable

4.2 The Timetable is a crucial element of plan preparation. It ensures that the plan is produced efficiently and in a structured way. Timeliness is even more crucial during a full revision of the LDP, following discussions with Welsh Government it is expected that preparation and delivery of a revised LDP should take no longer than 3.5 years from commencement to adoption.

4.3 There are two stages to the timetable, those which are definitive and those which are indicative. Definitive stages are those up to and

including the statutory deposit period. These stages of the process are under the direct control of the Council and therefore the timetable is as realistic as possible. This part of the timetable is firmer as the project management of the process can be monitored and controlled more carefully. Every effort will be made to avoid deviations from the approved timetable during these stages. Where deviations are necessary, often due to factors outside of the control of the LPA, a period of slippage is built into the process and the LPA needs to seek permission from Welsh Government to invoke this period.

- 4.4 Indicative stages are the stages beyond the statutory deposit period. The Council has less control over the later stages of the process as they are dependent on many factors such as the number of representations that need to be handled and the availability of the Planning Inspectorate. The indicative stages of the timetable will be subject to review as the LDP progresses, and the Council will endeavour to liaise with the Planning Inspectorate, informing them about the progress of the plan as it moves forward. A timescale for delivery is set out in the table below.

Stage	Time scale
Delivery Agreement	August 2019. Submission to Welsh Government March 2020
Commence Pre-deposit Preparation	April 2020
Pre-deposit (Preferred Strategy) Consultation	August/September 2021
Deposit Plan Consultation	August/September 2022
Submission (indicative)	February 2023
Examination (indicative)	June/July 2023
Adoption (indicative)	November 2023

Community Involvement Scheme

- 4.5 The Community Involvement Scheme (CIS) specifies how the LPA intends to proactively engage with and involve local communities/stakeholders in plan preparation, as part of the revised LDP. The CIS provides information to interested parties on how the Council intends to consult with them and provides information and certainty on when and how people can have their say throughout the LDP process.
- 4.6 Rhondda Cynon Taf firmly believes that community and stakeholder engagement in the plan-making process is fundamental to the success of the revised LDP. Community involvement will be the cornerstone in addressing any contentious issues that arise as part of the process, in addition to assisting with mediation. Such engagement will also serve

to highlight the shared goals and aspirations for the County Borough and expose those areas of common ground upon which consensus can be built. The types of consultees highlighted in the document include the public, hard to reach groups, Local Members, utility providers, land owners, the development industry and key consultees such as Natural Resources Wales.

- 4.7 Engagement methods and techniques can include the creation of steering groups, the production of clear written material, social media and use of the Council's website. Should opportunities present themselves to further engage such as attending events, the team will endeavour to utilise these also.

Resources

- 4.8 One requirement of the Delivery Agreement is to ensure that the LDP team has sufficient resources to prepare and deliver the LDP in the timescales identified in the DA both in terms of staff and budget. Commitment to these needs to be agreed and secured to prepare the LDP.

- 4.9 The Planning Policy Team, which is responsible for the production and delivery of the LDP, consists of:

4.10 Current LDP Team

- Development Services Manager (Planning Policy) (Grade 15) x1
- Planning Policy Team Leader (Grade 13) x1
- Senior Planning Policy Officer (Grade 11) x 1.6- 0.6 Vacant
- Planning Policy Officer (Grade 10) x1
- Planning Assistant (Grade 8) x1- Vacant

- 4.11 However, since the preparation of the current LDP the team has been reduced by 2 technical posts and a senior planner post that was downgraded. Considering this along with the shortened allowed LDP preparation process and likely contribution to the Regional Strategic Development Plan (SDP) the following amended team structure is proposed:

- Development Services Manager (Planning Policy) (Grade 15) x1
- Planning Policy Team Leader (Grade 13) x1
- Senior Planning Policy Officer (Grade 11) x 2
- Planning Policy Officer (Grade 10) x 2
- Technical Planning Assistant (Grade 7) x 1

- 4.12 Accordingly, additional staff will be needed to deliver the LDP which will result in an increase in staffing budget of £39,233 per annum.
- 4.13 As well as the LDP team, officers and expertise will be drawn from various departments within the Council, throughout the LDP process. This is likely to include support from Development Management, Countryside, Highways, Housing, Regeneration, Education, Public Health and Legal and Democratic Services, ICT and Welsh Translation.
- 4.14 The LPA will also enlist professional expertise for specialist services required in the production of a robust evidence base to support plan preparation. Whilst Council officers will endeavour to produce as much evidence in house as possible, it will nonetheless be necessary to engage external consultants to compile those highly specialist and technical studies, required in the plan-making process. Where possible opportunities for joint commissioning of evidence base work will be explored.
- 4.15 The Delivery Agreement has been compiled on the premise of solely preparing a revised LDP for Rhondda Cynon Taf. The Council are however also committed to regional working through the preparation of the Strategic Development Plan (SDP). As a result, during certain stages of the LDP preparation the team may also be required to provide input into the SDP.

Budget

- 4.16 An estimated budget of £600,000 will be required for the production and implementation of the plan. It is considered that a sufficient budget is available to enable the production of the plan in line with the Delivery Agreement Timetable.

Stage	Estimated Cost
Delivery Agreement	Existing staffing and resources
Pre-deposit	£250,000
Deposit	£100,000
Submission and Examination	£200,000
Adoption and Annual Monitoring	£50,000
Total	£600,000

Revised LDP Budget Requirements (Non Staffing)

Evidence Base Requirements	
Sustainability Appraisal / Strategic Environment Assessment Habitats Regulations Assessments	£70,000 plus Internal Staff Resources (Internal)
Housing Needs Assessment/ Local Housing Market Assessment	Internal + Consultants/Software £20,000
Population and Dwelling Projection Report	Internal + Consultants/Software £20,000
Urban Capacity Study	Internal
Candidate Sites Assessment	Internal
Employment Land Review	Internal + £25,000 Consultants
Retail Assessment	Internal + £25,000 Consultants
Infrastructure/Transport Needs Study	Internal + £25,000 Consultants
Urban Capacity Study	Internal
Candidate Sites Assessment	Internal
Leisure Study	Internal
Renewable Energy Study	Internal + £25,000 Consultants
Ecological Sites Identification	Internal
Greenspace Assessment	Internal
Green Wedge Assessment	Internal
Minerals Assessment	Internal
Waste Assessment	Internal
Open Space Assessment	Internal
Gypsy and Traveller Accommodation Assessment	Internal
Flooding – Strategic	Internal + £30,000
Landscape	Dependent on need
Viability Assessments	Internal + £70,000 Consultants/Software
Total Evidence Base	£310,000
Other Costs	
LDP Database	£20,000 Purchase of software
Formal Mapping	Internal + £10,000 Consultants (ongoing)
Consultation material and events	Internal + £10,000 costs

Examination (Planning Inspectorate & Programme Officer)	£200,000
Adoption, publication and ongoing Annual Monitoring	£50,000
Total Other	£290,000
Overall Total, (Non Staffing) Budget Requirement:	£600,000

4.17 The accrued, unspent LDP budget over recent years gives us a total pot of £366,000. The continuation of the annual budget of £68,000 per annum throughout the plan preparation period would then meet this need. It also allows scope for small shortfalls in estimated costs, unseen costs that may arise during the long production period of the Plan, and to meet a few ongoing commitments.

5.0 EQUALITY AND DIVERSITY IMPLICATIONS

5.1 An Equalities Impact Assessment screening exercise has been undertaken that indicates that there are no expected negative impacts on the protected characteristics and a full assessment is not required. However, the scope of the LDP will result in some of these matters being considered further, and if necessary will develop and incorporate policies that may have a positive impact on some of these characteristics.

6.0 CONSULTATION / INVOLVEMENT

6.1 The Delivery Agreement has been prepared in consultation with various internal Council departments. However, further, detailed consultation will take place following Cabinet agreement, with targeted stakeholder bodies. There will be no public consultation on the Delivery Agreement, although the final Welsh Government approved report will be made public during the pre-deposit stage of revised plan preparation.

7.0 FINANCIAL IMPLICATION(S)

7.1 The overall cost of the preparation of the LDP (non staffing resources) is estimated to be £600,000. Considering banked reserves and continuing budgets, there is sufficient budget to cover these costs. A further £39,233 per annum is then required to part fund an identified necessary new post in the team structure.

8.0 LEGAL IMPLICATIONS OR LEGISLATION CONSIDERED

- 8.1 The LDP will be prepared in accordance with The Planning and Compulsory Purchase Act (2004), the Town and Country Planning (Local Development Plan) (Wales) Regulations 2005 (as amended 2015), Planning Policy Wales 2018, the Planning (Wales) Act 2015 and the Strategic Environmental Assessment (SEA), Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA).

9.0 LINKS TO THE CORPORATE AND NATIONAL PRIORITIES AND THE WELL-BEING OF FUTURE GENERATIONS ACT.

How the subject of the report will contribute to the delivery of the Council's Corporate Priorities?

- 9.1 The production of a Local Development Plan will help to deliver the Council's three main corporate priorities of building a strong economy, promoting independence and positive lives for everyone and creating neighbourhoods where people are proud to live and work. The production of this land-use plan will help to stimulate the local economy through market and social house building, as well as providing for employment and retail development across the County Borough. Working together to shape our communities will instil a sense of pride and allow people to live and work independently, wherever they so choose. The LDP will also help to deliver the transport infrastructure that keeps the Rhondda Cynon Taf working and moving, in a sustainable way that benefits current and future generations.

How the Sustainable Development principle, i.e. the five ways of working has been considered?

- 9.2 The Local Development Plan will be a key project demonstrating the 5 ways of working in action:
- Integration – the preparation of the LDP will bring together all land use planning issues across the County Borough, involving our partners, residents, visitors, employers and service providers in the formulation of the Plan.
 - Collaboration- the LDP will be a key collaboration project for the region enabling stakeholders including residents to work together to form a Plan for the County Borough.
 - Involvement – preparation of the LDP will provide numerous opportunities to engage with our residents and customers,

including the business community and ensuring that we are listening to a wide range of views to inform the plan and decision making process.

- Prevention – the LDP provides an opportunity to understand the root causes of issues and preventing them by being proactive in our thinking and understanding the need to tackle problems at source for example by undertaking needs assessments to inform our priorities.
- Long-term – the LDP will be all about planning for the future and taking a strategic approach to ensure the County Borough is sustainable and that we understand the future need and demand for sustainable development in the region and how that is best met.

How the subject of the report seeks to maximise the Council's contribution to seven national well-being goals?

9.3 The LDP will contribute to the seven well-being goals by working together with other public services and third sector organisations to improve the well-being of everybody in Wales. This new approach seeks to improve public services in a sustainable way, for the benefit of all. The LDP will help to ensure:

- A Prosperous Wales – The LDP will promote a productive, creative and low-carbon society that recognises the limits of our resources and global environment, by ensuring that our finite resources are used efficiently and proportionately. It will also help to develop a skilled, well-educated population to work within an economy that generates wealth and provides employment opportunities for all.
- A Resilient Wales – The LDP will help to ensure that the region maintains and enhances a bio-diverse natural environment with healthy, functioning ecosystems that support social, economic and ecological resilience with the ability to adapt to change.
- A Healthier Wales – The LDP aims to help build a society in which people's mental and physical well-being is maximised through access to green space, and helps to foster an understanding of choices and behaviours that benefit future health.
- A More Equal Wales – The LDP will seek to enable people to fulfil their potential no matter what their background or circumstances. It also aims to help communities effectively tackle the loneliness and isolation that can often exist within many of them.

- A Wales of Cohesive Communities – The LDP, via the place-making principle, will help to foster attractive, safe, viable and well-connected communities that improve the well-being of all residents and visitors.
- A Wales of Vibrant Culture and Thriving Welsh Language – The LDP will support a society that promotes and protects our culture, heritage and Welsh language, whilst encouraging people to participate in the arts, sport and recreation.
- A Globally Responsible Wales – The LDP will contribute towards Wales being a nation which, when doing anything to improve our economic, social, environmental and cultural well-being; will take account of whether doing such a thing makes a positive contribution to our global well-being.

Any other national strategies the subject of the report is seeking to address.

- 9.4 The Planning Directorate in Welsh Government is working on the production of a National Development Framework (NDF), which will set out a 20-year land-use framework for Wales and replace the existing Wales Spatial Plan. Once the final NDF is published (anticipated September 2020), the Local Development Plan will need to be in general conformity with the aims and objectives of the NDF, which sits above the LDP in the development plan hierarchy within Wales.

10.0 CONCLUSION

- 10.1 It is recommended that Cabinet approves the Local Development Plan Delivery Agreement and approves a targeted consultation on the document and give authorisation to the Cabinet Member for Enterprise, Development and Housing to determine, through a delegated decision report, that appropriate amendments are made to this Delivery Agreement, prior to reporting the Delivery Agreement to full Council to seek its full approval

Other Information: -

Relevant Scrutiny Committee
Overview and Scrutiny Committee

Contact Officer:
Simon Gale

LOCAL GOVERNMENT ACT 1972

AS AMENDED BY

THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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Item:

Background Papers

None.

Officer to contact: Simon Gale