

<b>DECISION-MAKER:</b>	CABINET		
<b>SUBJECT:</b>	SOUTHAMPTON LOCAL PLAN: LOCAL DEVELOPMENT SCHEME (LDS) AND STATEMENT OF COMMUNITY INVOLVEMENT (SCI)		
	16 JULY 2019		
<b>REPORT OF:</b>	CABINET MEMBER FOR PLACE & TRANSPORT		
<b><u>CONTACT DETAILS</u></b>			
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<b>STATEMENT OF CONFIDENTIALITY</b>
NOT APPLICABLE.
<b>BRIEF SUMMARY</b>
<p>The new Local Plan enables us to take a fresh look at the challenges and opportunities in the city and to update our planning policies to address these and provide the platform to deliver positive growth and sustainability. The Local Plan will ensure that we can deliver the new homes, businesses, jobs, shops and infrastructure the city needs over the coming decades.</p> <p>This is an exciting opportunity for our city, as we reflect on how the city has been shaped in the past, from large areas of coast and sea being reclaimed to make space for the docks and housing in the west of the city; post second world war rebuilding and; more recently the transformation of parts of the city centre and district centres, with former employment sites such as the Ordnance Survey, the Ford Transit factory and Meridian TV studios being developed for housing and employment uses. The new Local Plan gives us the opportunity to work with our citizens and partners, to think creatively, to shape and set out how Southampton will be in the future.</p> <p>The city council has ambitious plans for continuing the transformation of the city, through cross-cutting initiatives such as the Green City Charter, which will deliver the ambition of being carbon neutral by 2030; the plans for Southampton to bid for City of Culture status; and the provision of 1000 council owned homes by 2025. Also, by working in partnership with key partners and businesses within the city and beyond, the city will help deliver the priorities set out by partner organisations such as the Solent Local Enterprise Partnership (e.g. the emerging Local Industrial Strategy). The new Local Plan is a key means by which we will work together in delivering a successful and transformed city in the future, ensuring we enable the city to grow, support the needs of our residents and communities, and become more sustainable.</p> <p>This report sets out the first three stages in producing a new Local Plan for the city.</p> <p>1) A Local Development Scheme (known as ‘Preparing our Development Plans’), which sets out how and when we will prepare the new ‘Southampton City Vision’ Local Plan and other essential planning documents;</p>

2) A Statement of Community Involvement (known as ‘Involving you in Planning’), which sets out how we will involve stakeholders in planning in the city;

3) The Issues and Options consultation, which will help shape the new ‘Southampton City Vision’ Local Plan.

**RECOMMENDATIONS:**

	(i)	To adopt the proposed documents ‘Preparing our Development Plans’ and ‘Involving you in Planning’ as set out in Appendix 1 and 2.
	(ii)	To approve the proposed approach to the Local Plan Issues and Options consultation as set out in Appendix 3.
	(iii)	To delegate authority to the Service Director – Growth, following consultation with the Cabinet Member for Place and Transport, to make minor amendments to the ‘Preparing our Development Plans’ and ‘Involving you in Planning’ documents before publication.
	(iv)	To delegate authority to the Service Director – Growth, following consultation with the Cabinet Member for Place and Transport, to finalise the Issues and Options questionnaire prior to consultation.

**REASONS FOR REPORT RECOMMENDATIONS**

1.	To ensure Southampton City Council’s compliance with the statutory duty set out in Planning and Compulsory Purchase Act 2004.
2.	To ensure that Southampton City Council is providing a clear timeline for the production of planning documents and a strategy for public consultation that is accessible to all and can be used to monitor progress.
3.	In order for the Council to continue progressing the new Local Plan.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

4.	<ul style="list-style-type: none"> <li>To continue using the Council’s existing Local Development Scheme and Statement of Community Involvement.</li> </ul> <p>This is not a credible option as the existing documents are out of date, do not reflect up to date stakeholder engagement principles and would not be in accordance with the requirements of the Compulsory Purchase Act 2004 (as set out in para 5).</p> <ul style="list-style-type: none"> <li>To utilise the previous 2015 Issues and Options results.</li> </ul> <p>This is not a credible option as it yielded a very small response rate of 250, which is a much lower reach than necessary to ensure meaningful engagement for a Local Plan. Also the issues arising since 2015 may have changed significantly.</p>
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**DETAIL (Including consultation carried out)**

5.	<p><u>The Local Plan</u></p> <p>A Local Plan needs to make sure that growth is managed and sets out some rules about what can be built and where. Importantly it also makes sure that it doesn’t just deliver houses or work spaces but all the things people need to live and work:</p> <ul style="list-style-type: none"> <li>School places</li> <li>Health services</li> </ul>
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- Transport network
- Open spaces
- Quality environment (including sustainability principles)

This report sets out the first three stages in producing a new Local Plan for the city.

As the local planning authority, Southampton City Council has a statutory duty to produce a Local Development Scheme (known as 'Preparing our Development Plans') and a Statement of Community Involvement (known as 'Involving you in Planning'), under the Planning and Compulsory Purchase Act 2004.

The Council's last Local Development Scheme was compiled in March 2016 and the previous Statement of Community Involvement was published in 2013. Both of these documents are now considered out of date and in need of updating. Until this is done, our new Local Plan cannot be progressed as together the two documents need to guide the plan's production.

#### 'Preparing our Development Plans' – the Local Development Scheme

This sets out the Council's timetable for producing and reviewing its planning documents, which include documents such as the Local Plan. This document must outline any planning policy documents the Council intends to produce and the timescales for doing so in order for progress to be monitored.

The following sets out the material changes between the existing Local Development Scheme and the proposed 'Preparing our Development Plans' document (set out in Appendix 1).

- Change to general format of document – Clear and concise 'walk through' style with question and answer type approach to disseminating information
- General changes to planning terminology - in order to correspond with planning legislation and ensure consistency through the document itself and between other documents (i.e. the Statement of Community Involvement)
- Streamlined document - to eliminate unnecessary information and make more user-friendly for a variety of audiences
- Use of infographics rather than tables - to make the document more interesting and understandable for a variety of audiences
- Update to timetable for the new Local Plan preparation – to provide and up to date timescale in accordance with our statutory duty (see para. 6)
- Inclusion of reference to the SCI - to ensure the LDS and SCI relate back to one another and are considered as a whole, where necessary

#### 'Involving you in Planning' – a Statement of Community Involvement

This document sets out the Council's consultation framework for seeking views on planning matters. It should set out how, when, and with whom consultation will take place and allow for flexibility that responds to changing circumstances, audiences and documents. All consultation on planning matters must then be conducted in line with this document.

The following sets out the material changes between the existing Statement of Community Involvement and the proposed 'Involving you in Planning' document (set out in Appendix 2):

- Change to general format of document – 'walk through' style with question and answer type approach to disseminating information to correlate with new document
- General changes to planning terminology - in order to correspond with planning legislation and ensure consistency through the document itself and between other documents
- Streamlined document - to eliminate unnecessary information and make more user-friendly for a variety of audiences
- Separation of Development Plan Document and Supplementary Planning Documents' preparation process tables – to make each process clearer to readers.
- Inclusion of Neighbourhood Plan preparation process – to provide the public with a clear understanding of the process and what is the neighbourhood forum's responsibility as well as where and how the Local Planning Authority is obliged to assist
- Inclusion of reference to the 'Preparing our Development Plans document - to ensure they relate back to one another and are considered as a whole, where necessary
- Inclusion of indicative consultee list – to be more transparent about who we will consult on plan-making matters
- Deletion of outdated contact details – to avoid customer complains for not being able to reach the department for advice

These two documents are inherently connected because the Local Planning Authority has a statutory requirement to consult on the production of new planning policy and this consultation must be carried out in accordance with the Council's 'Involving you in Planning' document.

The Cabinet is therefore asked to adopt the proposed documents as set out in Appendix 1 ('Preparing our Development Plans') and Appendix 2 ('Involving you in Planning').

These two documents form the first steps in producing the new Southampton Local Plan. The third step is to bring the Issues and Options for the new Southampton Local Plan to Cabinet prior to consultation in the autumn.

#### Issues and Options Consultation

In order to inform and shape a new Local Plan it is essential to understand the views of stakeholders at the start of the process. The government have produced guidance on how planning authorities go about plan making (in the National Planning Policy Framework – NPPF). This states that "*Plans should be shaped by early, proportionate and effective engagement between plan-*

	<p><i>makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees</i>". Furthermore it states that "... plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings".</p> <p>Therefore the first stage of a Local Plan is about consulting with stakeholders about their needs and aspirations for the growth of the city, and the options for how we shape the plan to accommodate these. This is known as 'Issues and Options' consultation, which is proposed will take place in September, October and November.</p> <p>Southampton City Vision is a plan that will set out the key principles about how and where future development will take place across the city.</p> <ul style="list-style-type: none"> <li>• Whilst Southampton City Council is responsible for preparing the plan, it does not have all the answers. Our starting point is understanding the needs of our residents and businesses in the city.</li> <li>• The first stage of this is to ask stakeholders what their needs and aspirations are for the city for the future. This will be through an 'Issues and Options' consultation from September – November.</li> <li>• This will give us the information to help us shape the plan, and to commission technical studies which will provide us with a sound evidence base, on which to base the plan as we develop it.</li> </ul> <p>The results of this consultation will shape the draft Local Plan and will enable stakeholders to take part in genuine co-production of the Plan, and the evidence base which is required to underpin it.</p> <p>Appendix 3 of this report sets out the principles behind this consultation. It is proposed that the detailed design of this consultation is delegated to the Service Director, in consultation with the Portfolio Holder, for more detailed work prior to the consultation launching in early September.</p>
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**RESOURCE IMPLICATIONS**

**Capital/Revenue**

6.	There is a revenue cost of producing the Southampton Local Plan as it will involve commissioning specialist technical experts to produce a sound evidence base. This cost will be met within existing revenue budgets.
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**Property/Other**

7.	Not applicable.
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**LEGAL IMPLICATIONS**

**Statutory power to undertake proposals in the report:**

8.	As the Local Planning Authority, Southampton City Council has a statutory duty to produce a Local Development Scheme and a Statement of Community Involvement, under the Planning and Compulsory Purchase Act 2004. The first stage of consultation on the plan, known as Issues and
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	Options, is set out in the Town and County Planning (Local Planning) (England) Regulations 2012.
<b>Other Legal Implications:</b>	
9.	The production and content of the 'Preparing our Development Plans' and 'Involving you in Planning' is subject to compliance with the duties set out in the Equalities Act 2010 and the Crime & Disorder Act 1998 (s.17). Both the approach to adopting the documents, and the content, must be prepared having regard to the need to eliminate discrimination on the basis of protected characteristics and the need to reduce or eliminate crime & disorder in the local area.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
10.	<p>The risk of Southampton City Council not adopting an up to date Local Development Scheme and Statement of Community Involvement is set out in paragraph 6.</p> <p>The risk of Southampton City Council adopting 'Preparing our Development Plans' and 'Involving you in Planning' (as set out in Appendices 1 &amp; 2) is that the Ministry for Housing, Communities and Local Government (MHCLG) will monitor compliance with the timetable in the 'Preparing our Development Plans' document and could 'designate' the Council if it does not comply with the timetable.</p> <p>Secondly, if the Council is not able demonstrate that it has not used the principles set out in 'Involving you in Planning' in formulating planning policies and in the determination of planning applications, it could be open to challenge. If upheld, this could result in the new Local Plan not being found 'sound' by a Planning Inspector.</p> <p>The risk of not undertaking an Issues and Options consultation as the first stage of the Local Plan consultation process is that the Council would not be aware of the range of stakeholder interests which need to be addressed in the Local Plan, and the Local Plan would therefore not be developed in a manner which addresses these needs. As set out in the paragraph above, this could lead to the new Local Plan not being found sound, and would risk the Council not having an up to date Local Plan and could lead to the Council being 'designated' by MHCLG.</p>
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
11.	<p>The Local Development Scheme and Statement of Community Involvement are both statutory documents that Southampton City Council are required to produce, in accordance with the Planning and Compulsory Purchase Act 2004.</p> <p>The Issues and Options consultation will be in accordance with the requirements set out in the Town and County Planning (Local Planning) (England) Regulations 2012.</p>

<b>KEY DECISION?</b>	<b>Yes</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	All (citywide)
<b>SUPPORTING DOCUMENTATION</b>	
<b>Appendices</b>	
1.	Appendix 1 – Proposed ‘Preparing our Development Plans’ document.
2.	Appendix 2 – Proposed ‘Involving you in Planning’ document.
3.	Appendix 3 – Proposed Issues and Options Consultation
4.	Equality and Safety Impact Assessment
<b>Documents In Members’ Rooms</b>	
1.	N/A
<b>Equality Impact Assessment</b>	
<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>Yes</b>
<b>Data Protection Impact Assessment</b>	
<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>	<b>No</b>
<b>Other Background Documents</b>	
<b>Other Background documents available for inspection at: Not Applicable.</b>	
<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.	Not Applicable.