

PLANNING & HOUSING OVERVIEW & SCRUTINY PANEL

TUESDAY, 29TH JANUARY, 2019

At 5.30 pm

in the

DESBOROUGH 4 - TOWN HALL,

SUPPLEMENTARY AGENDA

PART I

| <u>ITEM</u> | <u>SUBJECT</u> | <u>PAGE NO</u> |
|-------------|---|--------------------|
| 7. | <u>TRAVELLER LOCAL PLAN - ISSUES AND OPTIONS: EXTENSION OF CONSULTATION PERIOD</u> To receive a report on the above titled item. | 3 - 8 |

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| Report Title: | Traveller Local Plan – Issues and Options: Extension of consultation period |
| Contains Confidential or Exempt Information? | NO |
| Member reporting: | Councillor Coppinger, Lead Member for Planning and Health (including sustainability) |
| Meeting and Date: | Cabinet - 31 January 2019 |
| Responsible Officer(s): | Andy Jeffs, Executive Director & Jenifer Jackson, Head of Service |
| Wards affected: | All |

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REPORT SUMMARY

1. Cabinet resolved to approve the publication of the Traveller Local Plan Issues and Options Regulation 18 consultation at its meeting on 13th December 2018. The consultation will run from Monday 14 January 2019 until Monday 25 February 2019 (midnight).
2. Throughout the 6 week consultation period, which accords with the Council's SCI, officers have meetings/presentations scheduled with key stakeholders. At one of those meetings a formal request was made to the Lead Member for an extension to the consultation period which has been duly considered.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That Cabinet notes the report and:

- i) Agrees to a 2 calendar week extension of the Regulation 18 consultation period on the Traveller Local Plan Issues and Options; to close on 11 March 2019 (midnight);**
- ii) Agrees to the publication of further letters and adverts as required to publicise the extension of the consultation period and the new closure date.**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

- 2.1 The Regulation 18 consultation is underway. At one of the first events attended by the local planning authority a request was made for an extension to the consultation. Following that request another has been received and therefore due consideration has been given to the option of extending the regulation 18 consultation period. The local planning authority is keen to meet with stakeholders throughout the consultation process and, due to staff availability and Parish Council meeting schedules, some of those meetings and discussions will not take place until near to the end of the consultation period. This would mean that those groups might have less time or, indeed,

very little time, to formulate a formal response than others who have already been taken through the issues and options paper.

- 2.2 In this instance, whilst the planning authority should operate within the guidance contained in the adopted Statement of Community Involvement, there is no pressing need to push forward in the very short term. There is no legally prescribed time period for a regulation 18 consultation and it is for the Council to determine the appropriate way forward. The lengthening of the consultation period will simply shorten the time for officers to consider the responses received before moving on to prepare the next consultation version of the Traveller Local Plan.

Options

Table 1: Options arising from this report

| Option | Comments |
|--|---|
| Extend the regulation 18 consultation period by two calendar weeks, to close on 11 March 2019 (midnight). Recommended option | The LPA is keen to listen to feedback from stakeholders and to ensure it can engage in meetings as appropriate. There is no pressing need to progress such that two further weeks of consultation cannot be accommodated. |
| Do not extend the regulation 18 consultation period beyond the 6 weeks, closing on 25 February 2019 (midnight). | This meets the Council's adopted Statement of Community Involvement, which does not prescribe a time period, and complies with the Regulations but fails to take onboard the feedback from stakeholders. |

3. KEY IMPLICATIONS

Table 2: Key Implications

| Outcome | Unmet | Met | Exceeded | Significantly Exceeded | Date of delivery |
|--|----------------------|-------------------|-------------------|------------------------|------------------|
| Publication of the TLP Issues & Options document and relevant evidence | After 7 January 2019 | By 7 January 2019 | By 4 January 2019 | By 21 December 2018 | January 2019 |

4. FINANCIAL DETAILS / VALUE FOR MONEY

- 4.1 There financial implications are limited to the cost of additional notices/adverts and postage which will be met from the budget for the project.

5. LEGAL IMPLICATIONS

- 5.1 The Council has already indicated its agreement to consult on the Traveller Local Plan Issues and Options at Regulation 18. Officers do not have the authority to agree an extension to that consultation period, the legal advice taken is that this requires the approval of Cabinet.

6. RISK MANAGEMENT

Table 3: Impact of risk and mitigation

| Risks | Uncontrolled risk | Controls | Controlled risk |
|---|--------------------------|---|------------------------|
| The Council is unable to defend appeals against the refusal of planning permission for traveller sites as it cannot demonstrate a 5 year supply of pitches and plots. | HIGH | Progress a single issue Traveller Local Plan and publish an Issues and Options paper in accordance with the Local Development Scheme. | LOW |

7. POTENTIAL IMPACTS

- 7.1 The effect of extending the consultation will be to require additional resource from within the planning policy team to assist the lead officer on this project to give effect to the extension. It is possible to meet this requirement through work programming.

8. CONSULTATION

- 8.1 This is a late report to Cabinet which will be considered as an urgent item at Planning and Housing Overview & Scrutiny on 29 January 2019, any comments will be provided orally to Cabinet.

9. TIMETABLE FOR IMPLEMENTATION

- 9.1 Implementation date if not called in: Immediately.

10. APPENDICES

- 10.1 This report is supported by 3 appendices:
- Cabinet report dated 13th December 2018 on the Traveller Local Plan Issues & Options and the relevant minute of the meeting.
 - Traveller Site Assessment Methodology (see appendix to 13th December 2018 Cabinet report).

- Traveller Local Plan Issues and Options Paper (see appendix to 13th December 2018 Cabinet report).

BACKGROUND DOCUMENTS

10.2 This report is supported by 3 background documents:

- Council Plan https://www3.rbwm.gov.uk/downloads/file/3320/2017-2021_-_council_plan
- The Local Development Scheme <https://consult.rbwm.gov.uk/file/4979935>
- The Planning Policy for Traveller sites from Central Government <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

11. CONSULTATION (MANDATORY)

| Name of consultee | Post held | Date sent | Date returned |
|-------------------|---|-----------|---------------|
| Cllr Coppinger | Lead Member for Planning | 23/01/19 | 23/01/19 |
| Russell O'Keefe | Acting Managing Director | 23/01/19 | |
| Rob Stubbs | Section 151 Officer | 23/01/19 | |
| Elaine Browne | Interim Head of Law and Governance | 23/01/19 | |
| Nikki Craig | Head of HR and Corporate Projects | 23/01/19 | 23/01/19 |
| Louisa Dean | Communications | 23/01/19 | |
| Andy Jeffs | Executive Director | 23/01/19 | 23/01/19 |
| Kevin McDaniel | Director of Children's Services | 23/01/19 | 23/01/19 |
| Angela Morris | Director of Adult Social Services | 23/01/19 | |
| Hilary Hall | Deputy Director of Commissioning and Strategy | 23/01/19 | 23/01/19 |

REPORT HISTORY

| Decision type: | Urgency item? | To Follow item? |
|--|---|-----------------|
| Key decision Non-key decision | Yes - the item was previously considered by cabinet with a 6 week consultation period, as the consultation is due to end on 25 February 2019 a decision cannot be deferred. The Chairman of the Planning and Housing O&S Panel has agreed to the reports inclusion and reason for urgency. | |
| Report Author: Jenifer Jackson, Head of Planning, 01628 796042 | | |

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