



## Portfolio Holder Decisions

### **Extension of the contract of the external lottery manager for the Wyre Community Lottery, Adoption of Children's Homes - Guidance for Applicants, Local Development Scheme.**

1. **Extension of the contract of the external lottery manager for the Wyre Community Lottery** (Pages 3 - 6)  
Report of Corporate Director Communities.
2. **Adoption of Children's Homes - Guidance for Applicants** (Pages 7 - 26)  
Report of Corporate Director Communities.
3. **Local Development Scheme** (Pages 27 - 40)  
Report Corporate Director Communities.

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## Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Marinanne Hesketh, Corporate Director Communities	Councillor Lesley McKay, Resources Portfolio Holder	19 October 2023

### Extension of the contract of the external lottery manager for the Wyre Community Lottery

**Key decision:** Yes

#### 1. Purpose of report

- 1.1 To seek approval to extend the contract of the preferred external lottery manager, Gatherwell, to continue to manage and support the Wyre Community Lottery for a further five years.
- 1.2 To seek approval for an exemption from the contract procedure rules.

#### 2. Corporate priorities

- 2.1 The Wyre Community Lottery aligns to our corporate priority of People and Communities and supports our aim to explore opportunities for communities and partners to build resilience.

#### 3. Recommendations

- 3.1 That approval is given to extend our contract with Gatherwell and for Gatherwell to act as our external lottery manager for a further five years (subject to annual review).
- 3.2 That approval is given to allow the procurement under the exemptions to contract procedures contained within the Financial Regulations and Financial Procedure Rules. This is on the grounds that exemptions are permitted to contract procedures where the “goods, works or services are of a specialised nature carried out by only one or a limited number of firms with no reasonable satisfactory alternatives available.”

## **4. Background**

- 4.1** At their 28 November 2018 meeting, Cabinet agreed to appoint the preferred External Lottery Manager (ELM), Gatherwell and to introduce the Wyre Community Lottery. Gatherwell were duly appointed and are responsible for operating the lottery and providing the website services for community groups and purchasers of tickets as well as marketing materials and general support. This includes dedicated phone numbers, email addresses and social media accounts.
- 4.2** Each ticket for the Wyre Community Lottery costs £1 per week and the proceeds are split in the following way:
- 60% to Good Causes
  - 20% to Prizes
  - 17% to the external lottery manager
  - 3% to HMRC for payment of VAT
- 4.3** The Good Causes 'pot' allows purchasers to nominate a preferred community group/good cause so that 50% of the cost goes to a specific good cause and 10% to general good causes, (Wyre Central Fund). If no specific good cause is nominated then all 60% of the good causes element goes to general good causes. All good causes are vetted by the council before they can advertise on the Wyre Community Lottery website. There is no application fee for good causes to join.
- 4.4** We have successfully worked with Gatherwell for the last four years, since we launched the Wyre Community Lottery in January 2020. They have supported us to recruit 46 local good causes including Fleetwood Museum Trust, Garstang Cricket Club, National Coastwatch Institution, N vision and Scouting organisations. These good causes support and enable Wyre residents to live a happier and healthier life as well as keeping residents connected within their own communities. On average, the good causes sell over 750 tickets to 450 players each week and there have been over 3,900 winners in Wyre, with the total amount won being over £44,000. There have also been a number of local winners, including one jackpot winner of £25,000.
- 4.5** Each year, since 2020, the Wyre Community Lottery has raised over £24,000 for those good causes and in total £109,206 of much needed support has been provided for these Wyre local charities and groups so far. £24,695 has been raised for the Wyre central fund, which will go towards Parks and Open Spaces projects. In these difficult financial times, these charity and community groups need as much help as they can to survive, thrive and support our residents and the community lottery helps them receive a regular, steady income stream.

## 5. Key issues and proposals

- 5.1** The cost of signing up with Gatherwell to manage our Wyre Community Lottery was £3,000 for the initial implementation. This was a one-off set up fee. Ongoing costs to the Gambling Commission for licensing are £400 per year and our membership to The Lotteries Council is £385 per year. This is recovered from the sale of tickets. The council does not profit from the operation of the lottery and officer time is given free of charge.
- 5.2** The lottery provides much needed regular funding for local affiliated community groups, who provide a wide range of support and opportunities for local people to stay healthy, well and connected to their community. We work closely with Gatherwell and have regular quarterly meetings. Internal audit have reviewed the processes we follow with Gatherwell and we meet regularly to ensure everything is running in line with the contract.

## 6. Alternative options considered and rejected

- 6.1** We have contacted three other providers that could potentially run a Community Lottery for the council. All three companies were asked to quote for their equivalent service. Unfortunately, no compliant responses were received within the timescales set out. Although, a minor consideration, if we were to change providers there could be an initial sign-up fee, which there would not be if we continued with our current ELM, Gatherwell. Given that the current provider meets our requirements and provides a good service, and the lack of engagement from alternatives, it is felt that the current incumbent represents the best option at this time.

## 7. Delegated functions

- 7.1** The matters referred to in this report are considered under the following executive function delegated to the Resources Portfolio Holder (as set out in Part 3 of the council's constitution): "To consider departures from Rules relating to financial and contractual matters if appropriate".

<b>Financial, Legal and Climate Change implications</b>	
Finance	The Wyre Community Lottery annual costs include a £385 Gambling Licence and £400 towards the Gambling Commission. £109,206 has been raised to date for local good causes from the Wyre Community Lottery. This amount includes the Wyre central fund, where we have £24,695 to allocate to Parks and Open Spaces projects. Wyre Council does not receive a percentage of the ticket sales, nor does it recover the cost of staff time associated with supporting the running of the lottery.
Legal	A contract for the provision of the services will be entered into with Gatherwell.

	The procurement of the preferred ELM complies with the exemption to Contract Procedures contained within the Council's Financial Regulations and Financial Procedure Rules as set out in the report.
Climate Change	There are no climate change implications arising directly from this report.

### Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
health and safety	x

risks/implications	✓ / x
asset management	x
ICT	x
data protection	x

### Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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List of background papers:		
name of document	date	where available for inspection
None		

### List of appendices

None



## Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Marianne Hesketh, Corporate Director Communities	Councillor Peter Le Marinel, Planning Policy and Economic Development Portfolio Holder	19 October 2023

### Adoption of Children’s Homes – Guidance for Applicants

**Key decision:** Yes

#### 1. Purpose of report

**1.1** To consider whether or not to adopt the Children’s Homes – Guidance for Applicants, which has been prepared to inform and assist applicants seeking planning permission for the development of, or change of use of an existing building or premises to a children’s home. The guidance note is also relevant for Lawful Development Certificates.

#### 2. Corporate priorities

**2.1** Explore opportunities for communities and partners to build resilience supporting our most vulnerable residents and our ageing population.

**2.2** Work with residents, Parish and Town Councils and businesses to plan, protect and enhance the quality of our neighbourhoods and environment and promote responsible use of Wyre's great outdoors.

#### 3. Recommendations

**3.1** That the Children’s Homes – Guidance for Applicants be adopted.

**3.2** That the power be delegated to the Head of Planning and Regeneration to make minor editorial amendments and corrections if necessary to the guidance prior to publication.

**3.3** That delegated authority is given to the Head of Planning and Regeneration in consultation with the Planning Policy and Economic Development Portfolio Holder to approve any update to the Children’s

Homes – Guidance for Applicants to reflect any changing national policy, regulation and guidance.

#### **4. Background**

- 4.1** Over recent years, there has been an increasing number of Lawful Development Certificates and planning applications for change of use submitted for the proposed use of a dwelling as a children's home. The availability of relatively large properties within the borough at reasonable prices is understood to be a key driver behind this trend. This trend is also being seen across Lancashire.
- 4.2** Officers from Wyre Council's planning department have worked closely with colleagues at Lancashire County Council's Children's Commissioning Team to better understand the nature of children's homes and the issues that exist within the sector (see Appendix 2).
- 4.3** The guidance document is intended to offer clarification and information, and it will be a material planning consideration in the assessment of planning applications. It does not provide exhaustive guidance on these matters but simply highlights relevant legislation, regulations or guidance that can have a bearing on the planning judgement about the proposed development. This ensures that the council has the right level of information submitted with the planning application at the start of the process, which can avoid unnecessary delay. The introduction will also assist officers in meeting the government's statutory timescales for which planning applications are required to be determined.
- 4.4** Planning applications determined after the adoption of the Children's Homes – Guidance for Applicants will be expected to meet the guidance and the council's aim is to ensure that good quality accommodation is available in appropriate premises and locations within the borough to meet the needs of looked-after children within the care of Lancashire County Council and other authorities, without causing undue harm to the character and amenities of local neighbourhoods.

#### **5. Key issues and proposals**

- 5.1** The Children's Homes – Guidance for Applicants is set out in appendix 1.
- 5.2** The guidance has undergone public consultation for a period of just over four weeks between 18 May and 16 June 2023. The council contacted all consultees held on the Local Plan consultation database: 548 in total (536 sent via email and 12 by letter). In addition, the council also contacted active planning agents who have regularly submitted a planning application for children's care homes to the council: 27 in total (27 sent via email). In addition, the consultation document was published on the council website and placed on deposit at the civic centre.
- 5.3** In total ten responses were received. A summary of the responses and how they have been considered as part of finalising the Children's Homes – Guidance for Applicants is available in the Statement of Consultation



set out in appendix 2. The consultation resulted in wording updates to reflect Lancashire County Council’s request: revised wording to section 5.8 regarding information to include in a management plan; and updated wording in relation to the pre-application service provided by Lancashire County Council.

- 5.4 The draft guidance has also been updated to refer to the written ministerial statement: planning for accommodation for looked after children published on 23 May 2023, during the public consultation on the draft guidance.
- 5.5 The draft guidance has also been updated to provide further information and guidance on how applicants demonstrate compliance with all principal objectives of the guidance, identified in paragraph 2.2 to reflect consultation with the Planning Policy Working Group.
- 5.6 The guidance will be periodically reviewed to reflect any changing policy, regulation and guidance.

**6. Alternative options considered and rejected**

- 6.1 The creation of an interim policy was considered as this could provide a wider ranging policy approach. However this would require a new supporting evidence base. New evidence will be prepared for the emerging Local Plan and updated guidance and/or an interim policy could be developed then. This would be subject to public consultation if it changed the approach substantially. In consultation with the Planning Policy Working Group, the guidance was considered an appropriate measure at this time.

**7. Delegated functions**

- 7.1 The matters referred to in this report are considered under the following executive function delegated to the Planning Policy and Economic Development Portfolio Holder (as set out in Part 3 of the council’s constitution): “To consider matters relating to the Local Development Scheme, Supplementary Planning Documents and other planning guidance”.

<b>Financial, Legal and Climate Change implications</b>	
Finance	The cost of preparing and reviewing the document will be met from the existing Planning Policy revenue budget.
Legal	If adopted, the guidance will be a material planning consideration and used to determine planning applications and lawful development certificates for children’s homes.
Climate Change	There are no climate change implications as the guidance provides clarity on the information to be submitted to

	determine a planning application and lawful development certificate for children's' homes. The function of the homes will be the same and it would be unreasonable to require energy efficiency reviews or upgrades where this is not required in the Local Plan
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### Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
health and safety	x

risks/implications	✓ / x
asset management	x
ICT	x
data protection	x

### Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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List of background papers:		
name of document	date	where available for inspection
none		

### List of appendices

Appendix 1: Children's homes – Guidance for Applicants  
Appendix 2: Statement of Consultation



## **Wyre Council**

**For consideration by the Portfolio Holder  
Children's Homes - Guidance for Applicants (version 2)**

**September 2023**

**Wyre Council**  
**Children's Homes - Guidance for Applicants**

**Version Control**

<b>Version Control</b>	<b>Date</b>	<b>Version / Amendment</b>
1.0	May 2023	Draft prepared for public consultation
2.0	September 2023	Revised draft prepared for adoption

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## 1. Purpose of the advice note

- 1.1 This guidance document is intended to inform and assist applicants seeking planning permission for the development of, or change of use of an existing building to a children's home. The guidance note is also relevant for Lawful Development Certificates.
- 1.2 The guidance document is intended to offer clarification and information, it has undergone formal public consultation and will be a material planning consideration in the assessment of planning applications.
- 1.3 This guidance document does not provide exhaustive guidance on these matters but simply highlights relevant legislation, regulations or guidance that can have a bearing on the planning judgement about the proposed development. The best approach is to engage with the planning service through the [pre-application advice service](#) to ensure a full and correct understanding of the proposed development.

## 2. Aims and objectives

- 2.1 The council's aim is to ensure that good quality accommodation is available in appropriate premises and locations within the borough to meet the needs of looked-after children within the care of Lancashire County Council and other authorities, without causing undue harm to the character and amenities of local neighbourhoods.
- 2.2 In light of the specific issues in Wyre as set out above, the council has identified the following principal objectives:
  - Ensure that new children's homes are established in appropriate premises and in suitable locations;
  - Prevent an undue concentration of specialist uses in any particular area of the borough in order to safeguard the local character and amenity; and
  - Safeguard the children in care and the interests of local communities by requiring premises to be operated in accordance with a robust Management Plan.

## 3. Children's care in Wyre – a planning perspective

- 3.1 Over recent years, there has been an increasing number of Certificate of Lawfulness submitted for the proposed use of a dwellinghouse as children's homes. The availability of relatively large properties within the borough at reasonable prices is understood to be a key driver behind this trend.
- 3.2 A Certificate of Lawfulness for a proposed use is granted when the council judges that the use proposed is not materially different in planning terms from the existing lawful use of a building. Many factors must be taken into account when considering materiality.

- 3.3 Officers from Wyre council's planning department have worked closely with colleagues at Lancashire County Council's Children's Commissioning Team to better understand the nature of children's homes and the issues that exist within the sector.
- 3.4 As a result of these discussions, notwithstanding the fact that every planning application must be determined on its own merits, the council is now of the opinion that a change of use from a dwellinghouse to a children's home will generally be material for the following reasons:
- Change in the character of the use as a result of increased day-to-day activity;
  - Change in the character of the use as a result of the necessary form of operation of the premises;
  - Change in the character of the use as a result of typical physical alterations to the property;
  - Impact of the proposal in terms of the loss of family dwellings;
  - Impact of the proposal on local public service delivery; and
  - The change of use could include minor alterations that require planning permission.
- 3.5 By requiring operators to apply for planning permission for the creation of children's homes, the council is able to ensure that such provision is established in appropriate properties in suitable locations.
- 3.6 In determining planning applications for children's homes, the council will identify and consult a number of different groups, this could include Lancashire County Council Children's Commissioning Team and Lancashire Constabulary.

## 4. Relevant planning policy

### **National Planning Policy Framework (NPPF) (September 2023)**

- 4.1 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England. Paragraph 60, 61 and 62 relate to the delivery of a sufficient supply of homes.
- 4.2 Paragraph 60 makes clear that in order to *"support the Government's objective of significantly boosting the supply of homes.....the needs of groups with specific housing requirements are addressed"*.
- 4.3 Paragraph 61 makes clear how housing need in an area should be assessed and understood, and paragraph 62 advocates that planning policies should reflect the housing needs for different groups in the community.

### **Written ministerial statement: planning for accommodation for looked after children (23 May 2023)**

- 4.4 On 23 May 2023, the Housing Minister issued a written ministerial statement on planning for accommodation for looked after children. The statement set out that

the planning system should not be a barrier to providing homes for the most vulnerable children in society. The statement referred to paragraph 62 of the NPPF which requires local authorities to assess the size, type and tenure of housing needed for different groups in the community and reflect this in planning policies and decisions. The statement said local planning authorities should consider whether it is appropriate to include accommodation for children in need of social services care as part of that assessment.

### **Wyre Local Plan (2011-2031) (incorporating partial update of 2022) (January 2023)**

- 4.5 The local plan sets out the development strategy for Wyre up to 2031, including a vision and objectives that seeks to deliver a wider choice of quality homes to meet the needs of Wyre's community. The plan also sets out a number of planning policies to direct development.
- 4.6 Notwithstanding the fact there is no specific policy relating to children's homes, the local plan includes a number of policies that are of most relevance:
- SP2 Sustainable Development;
  - SP8 Health and Well-Being;
  - CDMP1 Environmental Protection;
  - CDMP3 Design;
  - CDMP6 Accessibility and Transport;
  - HP1 Housing Requirement and Supply; and
  - HP10 Houses in Multiple Occupation.
- 4.7 Policy SP2 sets out how sustainable development requirements will be applied at the local level in Wyre. It also sets out the sustainable framework to ensure housing provision meets the needs of all sections of the community and facilitate the provision of strategic and local infrastructure and services.
- 4.8 Policy SP8 supports development that promotes the health and well-being of local communities and which helps to maximise opportunities to improve quality of life and to make it easier for people in Wyre to lead healthy, active lifestyles.
- 4.9 Policy CDMP1 requires new developments to be compatible with adjacent existing or proposed uses and would not lead to significant adverse effects on health, amenity, safety and the operation of surrounding uses and for occupants or users of the development.
- 4.10 Policy CDMP3 requires new developments to respect the character of the area and is an appropriate form of development for the surroundings. The policy sets out how development should achieve good design and not result in unacceptable adverse impact on the amenity of occupants and surround nearby properties.
- 4.11 Policy CDMP6 seeks to maximise opportunities for sustainable transport. The policy also acknowledges Wyre's rural nature means that there is a high reliance on the car, the policy therefore seeks to ensure adequate parking provision and



that the development will not have an adverse impact on the existing highway network.

4.12 Policy HP1 sets out Wyre's housing requirement and housing supply.

4.13 Policy HP10 may also be appropriate in considering conversion of buildings to Houses in Multiple Occupation (HMOs).

## 5. Specific advice

### **How do I demonstrate the premises is in a suitable location?**

5.1 Applicants will be expected to include a supporting statement to provide:

- a justification that the premises is appropriate;
- that it is located in a suitable location;
- that it would not lead to undue concentration of children's homes in the particular area; and
- would not impact on local character and amenity.

### **What type of property should I look for?**

5.2 In general, the following types of property are considered to be appropriate as follows:

- Terraced properties – are generally only suitable for accommodating one child;
- Semi-detached properties – are typically only suitable for accommodating up to two children;
- Detached properties – can be used to accommodate one or two children but become necessary for proposals seeking to accommodate three children or more, subject to the material planning considerations.

### **What other changes might I be expected to make to a property?**

5.3 It is recognised that many children who require accommodation in a children's home may have suffered trauma or neglect of some kind. This can result in behavioural problems. Whilst such children undoubtedly deserve to live in a pleasant, caring and supported residential environment as part of the community, it is also important that the amenities of neighbours be appropriately protected. As such, the following measures may be required:

- Installation of sound-proofing to protect party walls;
- Prevent children from having access to balconies, roof terraces and any flat-roof areas;
- Provision of appropriate boundary treatments to garden areas; and
- Installation of CCTV.

### **What about car parking?**

5.4 It is recognised that children's homes requires more car parking than a dwellinghouse of a comparable size. This is because of the number of staff

members who are likely to be working at the property at any one time, but also because of the potential for visits from other professional support workers.

- 5.5 On this basis, proposals for children's homes will only be supported where adequate car parking provision is available to meet the needs of the use. On-street parking provision will be taken into consideration where it is available and not subject to excessive pressure.
- 5.6 When considering parking availability, due regard will be given to the care ratio, the needs of the children accommodated, the operational model of the home, the nature of the surrounding area and the presence of any parking restrictions on-street. In essence, each proposal will be considered on its own particular merits.
- 5.7 Vehicular movements and frequency of access that would result from the intensification of activity in and around the site, particularly in unsociable hours, can be disruptive in a residential setting and impact on residential amenity. The increase in car parking in the locality can also affect visual amenity. On this basis, proposal for children's homes will only be supported where there is no impact on living conditions of existing residents or impact on visual amenity.

### **What do I need to include in my Management Plan?**

- 5.8 A management plan must be submitted with all applications for planning permission for a children's home.
- 5.9 The management plan should consider the following questions to guide its preparation:
  - How many children would be accommodated and the age range?
  - What is the ratio of staff to children that is required i.e. delivery model?
  - What is the likely level of need of the children accommodated i.e. is there a focus on complex needs? Will the home have a particular specialism?
  - What is the likely shift pattern of staff i.e. how many staff (management and care staff) would likely be at the premises at any one time and when would shift changes occur?
  - What support officers would be likely to visit the property?
  - How would visits be scheduled and would staff/support-workers meetings take place at the property?
  - If residents are unable to participate in full-time mainstream education, what educational support would be offered on-site and what educational staff are needed onsite?
  - Would therapeutic care be offered on site?
  - Would case reviews take place on or off-site?
  - Are friends and relatives of residents able to visit at any one time?
  - Will the property be OFSTED registered?
  - Will the property be CQC registered?
  - As a provider, are you part of Lancashire County Council's Children's Home Commissioning Arrangements or do you intend to join these arrangements once eligible?

- Are children ever left alone unsupervised at the property?
- Under what circumstances are children allowed to leave the property?
- Would staff members be informed/aware if a child left the property?
- Is there a curfew?
- What would happen in the event of a breach of the curfew?
- What security provisions are proposed e.g. security and access controls on doors?
- Would CCTV be installed?
- How would local residents know how to raise a concern in the event of an issue?

5.10 A management plan must also be submitted with lawful development certificates for children's homes.

## 6. Further information

### Pre-application advice

- 6.1 The council welcomes and encourages discussions with applicants or their agents before a planning application is submitted. Early discussions can help to achieve time savings, and a better standard of application, which improves the chance of a timely and successful outcome. The council does, however make a charge for advice that it provides to applicants and developers prior to submitting a planning application. The level of the fee depends on the scale and nature of the development proposed.
- 6.2 Further information on the pre-application service can be found at on the council's [website](#).
- 6.3 Lancashire County Council's Children's Services would welcome and encourage early discussions and engagement with applicants or their agents before a planning application is submitted at no charge to the provider. Children's Services can be contacted via [artenquiries@lancashire.gov.uk](mailto:artenquiries@lancashire.gov.uk)



## **Wyre Council**

### **Statement of Consultation: Summary of Responses to the Children's Homes – Guidance for Applicants Consultation**

**September 2023**

## **1. Introduction**

- 1.1 The Children's Homes – Guidance for Applicants has been prepared to inform and assist applicants seeking planning permission for the development of, or change of use of an existing building to a children's home. The guidance note is also relevant for Lawful Development Certificates.
- 1.2 The guidance document is intended to offer clarification and information and will be a material planning consideration in the assessment of planning applications. It does not provide exhaustive guidance on these matters but simply highlights relevant legislation, regulations or guidance that can have a bearing on the planning judgement about the proposed development. This ensures that the council has the right level of information submitted with the planning application at the start of the process, which can avoid unnecessary delay.
- 1.3 It is important to seek the views of anyone who may use the guidance document. This Statement of Consultation sets out the public consultation process undertaken and provides a summary of the consultation responses received and how they have been addressed, where appropriate.

## **2. Consultation**

- 2.1 It is important to seek the views of anyone who may use the guidance document. The consultation was launched on 18 May 2023 and ran for a period of just over four weeks until 16 June 2023. The council contacted all consultees held on the Local Plan consultation database: 548 in total (536 sent via email and 12 by letter). In addition, the council also contacted active planning agents who have regularly submitted a planning application for children's care homes to Wyre Council: 27 in total (27 sent via email).
- 2.2 In addition, the consultation document was published on the council's website and a copy was held at the council's offices (Civic Centre, Breck Road, Poulton le Fylde, FY6 7PU).
- 2.3 Responses were invited either by email ([planning.policy@wyre.gov.uk](mailto:planning.policy@wyre.gov.uk)) or by post to Planning Policy, Civic Centre, Breck Road, Poulton le Fylde, FY6 7PU. It was made clear to all respondents that all comments received, including the name of the sender will be published. No personal information will be publicly available. Anonymous comments would not be accepted.
- 2.4 In total ten responses were received, all by email.
- 2.5 A summary of the points raised by each respondent, along with any changes sought and the council's summary response is set out in the table below ([appendix A](#)). All responses received have been read in full and where appropriate, incorporated into the final guidance.

## **3. Next Steps**

- 3.1 The final guidance document will be reviewed and considered for adoption by the council.

Appendix A

Organisation	Summary of Representation	Modification Proposed	Council Response	Modification Required
National Highways	No Comment	n/a	Noted	n/a
Network Rail	Network Rail notes that should any planning applications come forward for children's homes adjacent to the railway that the proposal includes a suitable minimum 2m trespass proof fence set back 1m from the railway boundary – this is to ensure that there is no unauthorised access on to the railway or its boundary by minors who may not be aware of the risks posed by the existing operational railway.	n/a	The development management procedure order requires the local planning authority to consult the relevant railway authority on planning applications located within 10 metres of railway land.  An advisory note is included on decision statements for a risk assessment and method statement (RAMS) in respect of all works to be undertaken within 10m of the adjacent railway shall be submitted to and agreed in writing with Network Rail to ensure that works on site follow safe methods of working and have taken into consideration any potential impact on Network Rail land and the operational railway. Network Rail Asset Protection should be contacted by email at <a href="mailto:AssetProtectionLNWNorth@networkrail.co.uk">AssetProtectionLNWNorth@networkrail.co.uk</a> to discuss the RAMS requirements in more detail. The advisory note also refers to party wall notification.	n/a
Historic England	No Comment	n/a	Noted	n/a
The Coal Authority	No Comment	n/a	Noted	n/a
Homes England	No Comment	n/a	Noted	n/a
Lancashire County Council  (Policy, commissioning and Children's Health)	Support:  - guidance and the clearer stance that Wyre is seeking to adopt.  - the stance that a change of use to a children's home is material (and I assume will therefore require full planning permission rather than a Certificate of Lawfulness for a Proposed Use).  - that in determining planning applications, WBC will consult with Lancashire County Council's Commissioning Team and can confirm our commitment to respond in a timely manner.	Update section 5.8:  - regarding joining LCC's Children's Home Commissioning Arrangements to read: <u>As a provider, are you part of Lancashire County Council's Children's Home Commissioning Arrangements or do you intend to join these arrangements once eligible?</u>  - Regarding likely level of need to read: .....is there a focus on complex needs? <u>Will the home have a particular specialism?</u>	Support noted.	Update section 5.8

Organisation	Summary of Representation	Modification Proposed	Council Response	Modification Required
	<ul style="list-style-type: none"> <li>- the views in relation to the type of property that would be suitable as a children's home and note that this is in line with neighbouring Blackpool's position.</li> <li>- the requirement to include a management plan as part of planning applications.</li> <li>- Question relating to provider's intention to join Lancashire County Council's (LCC) Children's Home Commissioning Arrangements and likely level of need but suggest updated wording.</li> </ul>			
Lancashire County Council  (Policy, commissioning and Children's Health)	<p>Pre-application advice section is noted.</p> <p>LCC's Children's Services is of the view that new homes should meet an identified local gap in provision, be good value and quality and prioritise Lancashire children. Note Wyre officers's previous concerns regarding requirement for local need.</p> <p>We would welcome Wyre making it a requirement that providers speak to us prior to submitting for planning permission, so we can discuss a) local demand/ need, b) the type of children's home they are seeking to open (which our discussions may help to influence) and c) ways in which LCC and the provider could work together to maximise the use of local homes for Lancashire children (helping us to develop relationships early on and again informing their thinking).</p> <p>We will commit to respond to providers in a timely manner and at no charge to provider. We would be happy to set up a specific email box for this purpose and for this to be included in the guidance.</p> <p>Updated wording suggested.</p>	LCC's Children's Services would welcome the inclusion in the pre-application advice section of a requirement (or encouragement if requirement is not possible) for applicants to speak to LCC's Children's Commissioning team and for the guidance to include a new specific LCC email address.	Noted.	Insert new paragraph 6.3 to encourage pre-application engagement with LCC.
Cllr Andrea Kay, Cllr Richard Rendell, Cllr Ian Amos and	Concerns are that the dwellings do not seem adequate for purpose; local bus services not always suitable for children to be able to get round and be able to interact with peers; most of children coming from out of Lancashire so not under the umbrella of Lancashire; and children being placed in	n/a	The guidance is intended to inform and assist applicants seeking planning permission. The guidance provides further information to support the implementation of policies in the adopted Wyre Local Plan.	n/a

Organisation	Summary of Representation	Modification Proposed	Council Response	Modification Required
Cllr Lady Dulcie Atkins	rural area when they are used to town and cities.			
Adrian Rose, Planning Agent	<p>Guidance welcome.</p> <p>In relation to 3.4, it is unreasonable that Lawful development Certificates are not appropriate without an Article 4 Direction.</p> <p>Believe should be guidance for both LDC and COU applications.</p> <p>Comments regarding material change:</p> <ul style="list-style-type: none"> <li>- character of the use as a result of increased day-to-day activity typically do not result in significantly more movements than a family home.</li> <li>- character and physical alterations: there are no noticeable physical differences and numbers of people in premises restricted</li> <li>- impact on loss of family dwellings: the property is still providing residential accommodation and remains reusable as a family dwelling. Not relevant for lawful development certificate</li> <li>- impact on local public service deliver: will have no different impact than a family.</li> <li>- In relation to minor alterations, this is not relevant to a lawful development certificate.</li> </ul>	n/a	<p>Noted.</p> <p>The guidance at 3.4 sets the council's view of where it considers a change of use to occur, notwithstanding the fact that every planning application must be determined on its own merits.</p> <p>The guidance note is for change of use but as set out at paragraph 1.1, is also relevant for lawful development certificates. Separate guidance is not considered necessary.</p>	n/a
Adrian Rose, Planning Agent	<p>Concerned by paragraph 3.5. Planning is not the main regulation for deciding the suitability, planning can look at impact on amenity only. Referring specifically to OFSTED, it is through their requirements to produce a location risk assessment, which includes assessment of issues such as local crime and what mitigation is required to ensure the location is suitable for the children in the home.</p> <p>To refuse to consider Lawful development certificates would be unreasonable.</p> <p>Refers to considering including a requirement for management plans in guidance.</p>	n/a	<p>Noted</p> <p>The guidance is for planning purposes only.</p> <p>The guidance sets out at 5.7 that a management plan must be submitted with all planning applications for a children's home and paragraph 5.8 sets out the matters that the management plan should consider.</p>	n/a



Organisation	Summary of Representation	Modification Proposed	Council Response	Modification Required
	Comments also made in relation to HMOs and that considers children's care homes not HMOs			
Chris Betteridge, De Pol Associates (Agent)  (late comments)	Provided link to Chief Planners Newsletter which was published June 2023. The agent commented that it is difficult to see that the blanket approach advanced by the Council in respect of Certificate of Lawfulness is appropriate in this setting and the guidance note should perhaps be reconsidered and consulted on.	n/a	The council considers that a change of use from a dwellinghouse to a children's home will generally be material for the reason set out in section 3.4 of the guide. The Written Ministerial Statement referred to in the Chief Planners Newsletter does not alter this.	Guidance updated to refer to Ministerial Statement: Planning for accommodation for looked after children (23 May 2023)
Local Flood Authority  (late comments)	No comment	n/a	noted	n/a

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## Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Marianne Hesketh, Corporate Director Communities	Councillor Peter Le Marinel, Planning Policy and Economic Development Portfolio Holder	19 October 2023

<b>Local Development Scheme</b>
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**Key decision:** Yes

### 1. Purpose of report

- 1.1 To consider and recommend the content of the Local Development Scheme (LDS) that sets out the timetable proposed for preparation of the Local Plan.

### 2. Corporate priorities

- 2.1 Complete a full review of the Wyre Local Plan by 2024.

### 3. Recommendations

- 3.1 That the LDS (as set out in Appendix 1 to this report) be adopted by the council.
- 3.2 That powers be delegated to the Head of Planning and Regeneration in consultation with the Planning Policy and Economic Development Portfolio Holder to approve any update to the LDS.

### 4. Background

- 4.1 The National Planning Policy Framework (NPPF) sets out the Government's economic, environmental and social planning policies that, taken together, articulate its vision of sustainable development to be interpreted and applied locally. It contains a presumption in favour of sustainable development and strongly encourages local planning authorities to plan positively for new development.

- 4.2** A Local Plan is the principal mechanism through which a local planning authority sets out its planning policy framework for meeting its development and environmental protection objectives.
- 4.3** Local planning authorities are required to review their local plan every five years from the date of adoption. This ensures the borough has an up-to-date local policy framework against which planning decisions can be made.
- 4.4** The Local Development Scheme (LDS) sets out a timetable for the production of the local plan by the council. This is a requirement of the Planning and Compulsory Purchase Act 2004, as amended by the Localism Act 2011.
- 4.5** The current LDS was published in April 2022. It set out the timetable for the then partial update and the full review of the local plan. The partial update of the Local Plan was adopted by the council in January 2023. Progress in preparing the full review (now referred to as the “emerging local plan”) has been made and it is pertinent to provide a revised up to date timetable, so that it is clear to local people, developers and landowners when the key stages of the local plan process will take place and when they have an opportunity to be involved in its production.
- 4.6** In May 2022, the Levelling Up and Regeneration Bill (“LURB”) was introduced to Parliament to put the foundations in place to deliver the Government’s wider programme to level up the country. As well as delivering against some of the ambitions set out in the Levelling Up White Paper published in February 2021, it also incorporates some of the proposals for planning reform outlined in the Planning for the Future White Paper published in August 2020, where they support the Government’s approach to Levelling Up.
- 4.7** The LURB acts on several fronts to create a robust framework for levelling up, including improving the planning process as part of a wider planning reform through new and revised regulations, policy and guidance. This proposes a radical overhaul of the planning system, which if implemented, will have significant implications for plan making. Most pertinent to the LDS, is the intention to have nationally set development management policies to streamline the local plan, allowing for a focused local plan that addresses strategy, site allocations and location specific issues. The LURB also proposes a 30 month local plan timetable with prescribed stages and consultations.
- 4.8** The LURB was expected to obtain Royal Assent in April 2023. It has been delayed and is now expected to obtain Royal Assent in autumn 2023. The draft revised National Planning Policy Framework (NPPF) and draft national development management policies (NDMP) were originally expected in summer 2023. This is also delayed and is now expected in 2024 after the LURB’s Royal Assent. The content of the draft revised NPPF and NDMP will have implications for the scope and content of the emerging local plan.

- 4.9** The government has proposed transitional arrangements for plan making. This sets out that for those local planning authorities preparing plans under the current plan making system, local plans submitted to government for examination by 30 June 2025 and adopted by 31 December 2026 will be examined under the then previous planning system. It is understood that the transitional dates are dependent upon Royal Assent of the LURB.
- 4.10** Contrary to the Government's objective of facilitating plan making, the short-term effect of the proposed planning reform has created uncertainty for local planning authorities and across the whole planning sector. For plan making at Wyre, this has caused delays to progressing the local plan in accordance with the current LDS as a result of only progressing core evidence where there is a lower risk of it being impacted by planning reform.
- 4.11** At a meeting of the Council on 7 July 2016, the Head of Planning and Regeneration in consultation with the Planning Policy and Economic Development Portfolio Holder obtained delegated authority to approve any amendments to the LDS. Owing to the delay to the emerging local plan caused by ongoing planning reform, it was considered appropriate for this LDS to be considered by the Portfolio Holder. Delegated powers for subsequent updates would still remain in line with the approved scheme of delegation.

## **5. Key issues and proposals**

- 5.1** The LDS establishes the timetable for preparing the emerging local plan. The local plan has been delayed owing to the uncertainty associated with ongoing planning reforms. The new LDS would see an approximately two year delay to the timetable set out within the current LDS. This would mean that the submission of the local plan for examination would most likely take place in June 2025 and be adopted in summer 2026. Although, the Publication Local Plan expected in spring 2025 would be a material consideration (albeit with reduced weight).
- 5.2** There are risks associated with this timetable that are out of the control of the council. These include an understanding of what the proposed planning reform, the revised NPPF and the introduction of NDMP will mean for Wyre, alongside the Government's timetable for providing that certainty, which has been subject to ongoing delays. To add to the uncertainty, a General Election must be held by January 2025, the outcome of which could also impact on the changes.
- 5.3** The preferred approach to progress with the local plan in accordance with the new LDS (appendix 1) includes mitigation. In that as far as possible, the local planning authority will progress evidence gathering where there is lower risk of being impacted by planning reform and through developing a flexible policy approach which remains relevant and can as far as possible, be responsive to planning reform.

- 5.4 The review of the LDS is necessary in order to reflect the latest local plan timetable and so that it is clear to local people, developers and landowners when the key stages of the local plan process will take place and when they have an opportunity to be involved in its production.
- 5.5 If approved, the LDS will have to be published and made available to the public on the website.

**6. Alternative options considered and rejected**

- 6.1 Owing to uncertainty associated with proposed planning reform, a temporary pause in progressing the local plan until further clarity is available had been considered. In consultation with the Planning Policy Working Group, this was not considered an appropriate response because this would leave the council at risk of not having an up to date Local Plan.

**7. Delegated functions**

- 7.1 The matters referred to in this report are considered under the following executive function delegated to the Planning Policy and Economic Development Portfolio Holder (as set out in Part 3 of the council’s constitution): “To consider matters relating to the Local Development Scheme, Supplementary Planning Documents and other planning guidance”.

The matters referred to in this report are considered under the following scheme of delegation (as set out in Part 7 of the council’s constitution): “To approve, in consultation with the relevant Portfolio Holder, any update to the Local Development Scheme”.

<b>Financial, Legal and Climate Change implications</b>	
Finance	There is a dedicated Planning Policy budget for preparing the Local Plan to the timetable set out in the LDS. The local plan budget for 2023/24 is £296,660 which includes slippage from 2022/23. A variable ongoing provision exists, profiled to reflect the year in which costs are expected to fall. The budget is intended to cover all costs associated with the local plan’s preparation and no additional budget is being sought. However, a budget re-profiling exercise will be undertaken if required.
Legal	The council is required to prepare an LDS in line with the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011. The LDS completely supersedes the previous LDS. The Local Plan will be prepared in line with relevant legislation.
Climate Change	There will be a slight negative impact on climate change owing to the delay in the LDS. However this can be

	balanced by creating guidance to have ready to implement into the local plan.
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### Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
health and safety	x

risks/implications	✓ / x
asset management	x
ICT	x
data protection	x

### Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Fiona Riley	01253 887235	fiona.riley@wyre.gov.uk	29/09/2023

List of background papers:		
name of document	date	where available for inspection
None		

### List of appendices

Appendix 1: Wyre Local Development Scheme

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**Wyre Council**  
**Local Development Scheme (LDS)**

**For consideration by the Portfolio Holder  
September 2023**

# Wyre Local Development Scheme

## 1 Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 establishes the current system of local development planning in England<sup>1</sup> and introduced the requirement to prepare and maintain a Local Development Scheme (LDS). An LDS sets out a timetable for the production of new or revised Development Plan Documents (such as a Local Plan) by the council. This LDS covers the administrative area of Wyre Borough Council for which it is the local planning authority.
- 1.2 The LDS sets out the main local planning documents the council will produce, including details about content and purpose and the timescales for preparation. This 2023 LDS is an updated position on the timetable and supersedes the 2022 version, setting out the timescales for the preparation of a new Local Plan.
- 1.3 Development plan documents, such as the Local Plan are documents which contain statements regarding one or more of the following:
  - The development and use of land which the local planning authority wish to encourage during any specific period;
  - The allocation of sites for a particular type of development or use;
  - Any environmental, social, design and economic objectives which are relevant to the attainment of the development and use of land which the local planning authority wish to encourage;
  - Development management and site allocation policies, which are intended to guide the determination of applications for planning permission.
- 1.4 In relation to local plans, the stages required are set out in The Town and Country Planning (Local Planning) (England) Regulations 2012 (As amended):
  - Reg 18 – preparation of a local plan
  - Reg 19 – publication of a local plan
  - Reg 20 – representations relating to a local plan
  - Reg 22 – submission of documents and information to the Secretary of State
  - Reg 23 – consideration of representations by appointed person
  - Reg 24 – independent examination
  - Reg 25 – publication of the recommendations of the appointed person
  - Reg 26 – adoption of a local plan

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<sup>1</sup> The Planning Act 2008 and then the Localism Act 2011 (sections 110 to 113) made a number of amendments to part 2 of the 2004 Act. Regulations – most recently The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended in 2017 – make provision for the operation of the current system of plan making.

## 2 The Statutory Development Plan for Wyre

- 2.1 The statutory development plan is the starting point for the determination of planning applications and comprises:
- The Wyre Local Plan (2011-2031) (incorporating partial update of 2022)
  - The Joint Lancashire Minerals and Waste Local Plan (the adopted core strategy and the adopted site allocation and development management policies local plan)

## 3 Development Plan Documents to be prepared

- 3.1 Regulations<sup>2</sup> require local planning authorities to review local plans and their Statements of Community Involvement at least every five years from the date of their adoption.

### Wyre Local Plan

- 3.2 Table 1 below sets out the timetable for the emerging Local Plan.

**Table 1 – Local Plan Timetable**

Regulation	Stage Description	Dates
Reg 18	Preparation of a local plan	January 2022 to Summer 2024
	Scoping consultation	January 2022
	Issues and Options consultation	Summer 2024
Reg 19	Publication of a local plan	Spring 2025
Reg 20	Representations relating to a local plan	Spring 2025
Reg 22	Submission of documents and information to the Secretary of State	June 2025
Reg 23 & 24	EIP Hearing Sessions	Autumn 2025
Reg 25	Publication of the recommendations of the appointed person <sup>3</sup>	Spring 2026
Reg 26	Adoption of a local plan	Late summer 2026

- 3.3 To support the new local plan, the council will need to prepare and maintain an up to date monitoring and evidence base on key aspects of the social, economic and environmental characteristics of the area. This enables the preparation of a sound spatial plan meeting the objectives of sustainable development. Table 2 below provides an indicative list and timetable for the key evidence base documents to support the new local plan. Wyre's current monitoring and evidence base is available to view [online](#) and the webpage will be updated as new evidence becomes available.

<sup>2</sup> The Town and Country Planning (Local Planning) Amendment Regulations 2017

<sup>3</sup> See Procedural Practice in the Examination of Local Plans, Planning Inspectorate 2016 (4<sup>th</sup> Edition)

**Table 2 – Local Plan Evidence Base Timetable**

<b>Monitoring and Evidence Base Document</b>	<b>Status</b>	<b>Timetable</b>
<b>Housing</b>		
Local Housing Requirement	Prepared in-house	Autumn 2023 – Spring 2024
Local/Affordable Housing Need Assessment	To be commissioned	Autumn 2023 – Spring 2024
Gypsies, Travellers and Travelling Showpeople	Commissioned	Completion Autumn 2023
Housing Monitoring Report	Prepared in-house - ongoing	Completion Autumn 2023 for 22/23 report
Call for sites assessment (Strategic Housing and Employment Land Availability Assessment only)	Prepared in-house - ongoing	Completion Spring 2024
<b>Economy</b>		
Town Centre Regeneration Frameworks	Commissioned	Completion Autumn 2023
Retail Need and Town Centre Review	To be commissioned	Winter 2023 – Summer 2024
Economic and Employment Need Assessment	Commissioned	Completion Winter 2023
Employment Monitoring	Prepared in-house	Completion Autumn 2023 for 22/23 Report
<b>Environmental</b>		
Corporate Climate Change Strategy	Prepared in-house	Completion Spring 2024
Climate Change	Prepared in-house / to be commissioned	Winter 2023 – Spring 2024
Biodiversity Net Gain	Prepared in-house / to be commissioned	Completion Summer 2024
Strategic Flood Risk Assessment and Drainage – level 1	Commissioned	Completion Winter 2023
Strategic Flood Risk Assessment and Drainage – level 2	Commissioned (if required)	Completion Winter 2024
Heritage: conservation area appraisal and management plans	Prepared in-house / commissioned	Completion Summer 2025
<b>Infrastructure</b>		
Green Infrastructure	Commissioned	Completion Autumn 2023
Highway and Transport Review	To be commissioned if required	To be confirmed if required
Infrastructure Delivery Plan	Prepared in-house	Prepared at relevant Local Plan stages

<b>Technical Assessments and Monitoring</b>		
Sustainability Appraisal and Health Impact Assessment	Commissioned	Prepared at relevant Local Plan stages
Equalities Impact Assessment	Prepared in-house	Prepared at relevant Local Plan stages
Habitats Regulations Assessment – scoping stage	Commissioned	Prepared at relevant Local Plan stages
Habitats Regulations Assessment – Appropriate Assessment	Commissioned (if required)	Prepared at relevant Local Plan stages
Viability Study	To be commissioned	Prepared at relevant Local Plan stages
Authority Monitoring Report	Prepared in-house	Completion Winter 2023 for 22/23 Report

#### **4 Supplementary Planning Documents (SPDs)**

- 4.1 Supplementary planning documents are a category of planning document which supplement the policies in a local plan. Unlike local plans, supplementary planning documents are not required to be submitted for independent examination, but they carry less weight in the determination of planning applications than local plans.
- 4.2 The Regulations<sup>4</sup> set out the procedure to be followed by local planning authorities in relation to the preparation of supplementary planning documents, including as to consultation with interested parties and bodies and the documents which must be made available at each stage.
- 4.3 The council is currently considering the introduction of a number of SPDs and this LDS will be updated and amended to reflect the SPDs the Council wishes to develop.

#### **5 Statement of Community Involvement (SCI)**

- 5.1 The SCI is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended). The SCI sets out how and when the council will involve the local community in preparing development plans and processing planning applications and controlling development. The SCI is not a development plan document.
- 5.2 The council adopted the latest version of the SCI in March 2022 and a copy is available on the council's [website](#).

#### **6 Joint Working**

- 6.1 In accordance with Section 33A of the Planning and Compulsory Purchase Act 2004 (as amended) local planning authorities must engage constructively,

<sup>4</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012 (As Amended)

actively and on an ongoing basis in any process by means of which a development plan document are prepared.

- 6.2 The National Planning Policy Framework requires local authorities to ‘maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these’. Statements of Common Ground (SoCG) will be prepared, at the appropriate point during the preparation of the new Local Plan, with all neighbouring authorities and other duty to cooperate bodies. These SoCGs will accompany the development plan documents set out in this LDS.

## **7 Monitoring and Review**

- 7.1 The council publishes an authority monitoring report (AMR) that provides information on the performance of policies within the Local Plan. The AMR provides important information to assess where future policy changes which may be required. The most up to date AMR can be found on the council’s [website](#).

## **8 Risk Assessment**

- 8.1 Every effort will be made to ensure that the programme set out in this LDS is fulfilled, but clearly there are various risks to different aspects of it. The table overleaf identifies possible risks, the issues that could ensue and the mitigation measures that will need to be taken to alleviate them. The risks that have been identified are not mutually exclusive.

Nature of the Risk	Consequences of the Risk Occurring	Mitigation	Likelihood (A) <sup>5</sup>	Severity / impact (B) <sup>6</sup>	Risk (A x B) <sup>7</sup>
Staff turnover and / or reduction in staff resource	<p>Delays in preparing the local plan.</p> <p>Loss of staff could lead to increased risk of the plan being found unsound at examination, due to lack of preparation of supporting evidence, hearing statements or gaps in knowledge where those responsible for elements of the plan have left.</p>	<p>Ensure that any leavers are replaced promptly with a suitable replacement, and that proper handover occurs to reduce direct impact on work programme.</p> <p>Robust project management for the preparation of evidence for the examination hearings based on available resources.</p>	3	4	12
Changes to the national planning system including new Government policy and guidance issued during preparation of the Local Plan	<p>Delays in the production of the local plan.</p> <p>Additional evidence may be required to address new national policy requirements.</p>	<p>New national policy and guidance will be taken into account as the Local Plan work progresses.</p> <p>As far as possible develop a flexible policy approach which remains relevant in spite of changing technical requirements.</p> <p>Accommodate new requirements through an early review.</p>	7	5	35
Significant number of representations	<p>Delays in the production of the local plan. Lack of a plan led approach to development management in the Borough until such time as the local plan is finalised.</p>	<p>Ensure comprehensive consultation takes place in early stage (regulation 18) prior to the finalisation of a local plan to reduce level of objections following publication.</p> <p>Further resources made available at appropriate times to ensure representations are dealt with in a timely fashion.</p>	4	3	12

Nature of the Risk	Consequences of the Risk Occurring	Mitigation	Likelihood (A) <sup>5</sup>	Severity / impact (B) <sup>6</sup>	Risk (A x B) <sup>7</sup>
Capacity of Planning Inspectorate (PINS) and other statutory agencies (such as LCC Highways, National Highways, Natural England, Environment Agency etc.) to support the process.	<p>Programming of the public examination will be heavily influenced by the workload of PINS.</p> <p>The timely response from external organisations may be subject to work pressures from other local authorities preparing Local Plans to similar timescales as our own.</p>	We will address this matter by ensuring that we provide early notice to PINS and other statutory agencies of our timescales and requirements.	4	3	12

<sup>5</sup> Low 1-3, Moderate 4-6, Significant 7-12, High 13+

<sup>6</sup> Low 1-3, Moderate 4-6, Significant 7-12, High 13+

<sup>7</sup> Low 1-3, Moderate 4-6, Significant 7-12, High 13+