

REPORT TO: Executive Board

DATE: 18th November 2010

REPORTING OFFICER: Strategic Director - Environment

SUBJECT: Halton Core Strategy Proposed Submission Document for Public Consultation

WARDS: Borough-wide

1.0 PURPOSE OF THE REPORT

- 1.1 This report seeks the approval of the Executive Board of the content of the Halton Core Strategy Proposed Submission document (**Appendix A**). In approving the document for 'publication' for a period of public consultation, the Board attests that they consider the document to be 'sound' and ready for submission to the Secretary of State for independent examination and eventual adoption.
- 1.2 It is intended that the document be subject to an eight week period of public consultation from the 29th November 2010 to 24th January 2011.

RECOMMENDATION: That

- (1) The Board resolve that they consider the Halton Core Strategy Proposed Submission Draft to be 'sound'.**
- (2) The Proposed Submission Draft be approved for the purposes of 'Publication' for an eight week period of public consultation under Regulation 27 of the Town and Country Planning (Local Development) (England) Regulations 2004.**
- (3) The Board approve the following supporting documents for a concurrent period of public consultation;**
 - Sustainability Appraisal (Appendix B)**
 - Infrastructure Plan (Appendix C)**
 - Statement of Consultation (Appendix D)**
 - Habitats Regulations Assessment (Appendix E)**
 - Equality Impact Assessment (Appendix F)**
- (4) Further editorial and technical amendments that do not materially affect the content of the Halton Core Strategy Proposed Submission document or the supporting documents be agreed by the Operational Director - Environmental and Regulatory Services in consultation with the Executive Board Member for Physical Environment as**

**necessary, before they are published for public consultation;
and**

- (5) The results of the statutory public consultation exercise on the Halton Core Strategy Pre-Submission document are reported back to the Executive Board following the consultation period, prior to seeking approval of Full Council for Submission to the Secretary of State.**

3.0 SUPPORTING INFORMATION

The Halton Local Development Framework

- 3.1 The Core Strategy will be the principal document in the Halton Local Development Framework (LDF). Over time the LDF will replace the saved policies from the Halton Unitary Development Plan (UDP) which was originally adopted in April 2005, and from which the majority of policies, together with the Proposals Map, were “saved” by agreement of the Secretary of State, in 2008.

Preparation of the Halton Core Strategy Proposed Submission (*Publication*) Consultation Document

- 3.2 The ‘Publication Stage’ will be the third and final round of formal consultation in the production of the Core Strategy.
- 3.3 Consultation on the Core Strategy began with the **Issues and Options consultation** in July / August of 2006. This set out a range of issues affecting the borough (largely drawn from the work undertaken in support of the Sustainable Community Strategy) and the broad strategic options that could be developed to help address these.
- 3.4 These were further developed and consulted upon in the **Preferred Options consultation** of September / November 2009, which contained a suite of draft ‘preferred’ policies together with reasonable alternatives.
- 3.5 Since the preferred options consultation last year, there have been a number of developments and events that have helped further shape the development of the plan, including;
- abolition of the Regional Spatial Strategy
 - Planning Inspectorate’s free ‘advisory visit’
 - completion of outstanding evidence base documentation
 - Sustainability Appraisal / Habitats Regulations Appraisal / Equality Impact Appraisal and Health Impact Appraisal.
- 3.6 The above have resulted in a slimmed down, more focused document that is now fully supported by a substantively complete evidence base. The intention is to consult for 8 weeks rather than the statutory

minimum of 6 to allow for the consultation unavoidably running over the holiday period.

- 3.7 Under the new planning system introduced by the Planning and Compulsory Purchase Act 2004, the plan, by this stage should have been subject to significant 'frontloading' consultation that there should be a degree of consensus and 'buy in' from the public and other stakeholders concerning the content of the Plan.
- 3.8 As such, the Publication stage consultation focuses on the tests of legal compliance and 'soundness' as set out in PPS12 and the consultation will be limited to these issues. Following the consultation, the Council will prepare a report setting out the main issues raised in the consultation to help inform the Examination in Public (EiP)

Next steps – "Submission"

- 3.9 Should the Council be satisfied that the consultation has not highlighted any fundamental issues of 'soundness', the next stage will be for the Council to formally 'submit' the Plan to the Secretary of State (Regulation 30) who will appoint an independent Planning Inspector to hold a public inquiry known as the Examination in Public (EiP) into the content of the Plan.
- 3.10 The Inspector will aim to hold a Pre-Hearing Meeting within 8 weeks of Submission and the Inquiry should start around week 14. Should the Inspector have any significant concerns relating to soundness from their initial reading of the material, they may exceptionally call an *exploratory meeting* to discuss the issues. In extreme circumstances, this may result in the LA having to request that the Plan be withdrawn.
- 3.11 At the EiP the Inspector will be charged with checking that the plan has complied with legislation. In particular, this includes checking that the plan:
- has been prepared in accordance with the Local Development Scheme and in compliance with the Statement of Community Involvement and the Regulations;
 - has been subject to sustainability appraisal;
 - has regard to national policy; and
 - has regard to the Halton Sustainable Community Strategy.
- 3.12 The Inspector will then need to determine whether the plan is 'sound'. To be found sound, a Core Strategy should be JUSTIFIED, EFFECTIVE and consistent with NATIONAL POLICY
- 3.13 "Justified" means that the document must be:
- founded on a robust and credible evidence base
 - the most appropriate strategy when considered against the reasonable alternatives
- 3.14 "Effective" means that the document must be:

- deliverable
- flexible, and
- able to be monitored

3.21 If found 'sound', the Inspector will prepare and issue a report that may contain recommendations for changes or amendments to the Plan, which (under the current regulations) will be binding on the Council. The Plan will then be formally adopted and form part of the statutory development plan for the Borough.

4.0 POLICY IMPLICATIONS

4.1 The Core Strategy is the central policy document within the Halton LDF. The Core Strategy is more than a planning document: it is a significant corporate policy document and as such, it will have widespread policy implications for the Council and its partners.

5.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

5.1 A Healthy Halton

The Core Strategy Proposed Submission document contains a number of policies intended to directly or indirectly contribute to addressing the Borough's health problems. The SCS priority for a healthier Halton is strongly reflected across a number of policies, including through the maintenance of well-designed places and spaces, support for accessible sustainable travel options and through the provision of a healthy, green local environment.

5.2 Halton's Urban Renewal

The Key Areas of Change highlight areas which will be subject to concentrated renewal. The other policies in the Plan seek to support the renewal and/or enhancement of the Borough's green and built environment, with a particular focus on housing areas, employment land and the Borough's centres.

5.3 Children and Young People in Halton

A significant component of the content of the Core Strategy is aimed at supporting raising aspirations of younger people, and supporting the provision of opportunities for them to enter further education or employment. The Plan also address the need to encourage and provide opportunities for children and younger people to access and participate in physically active, healthy lifestyles.

5.4 Employment, Learning and Skills in Halton

One of the main thrusts of the Core Strategy is to support the maintenance and enhancement of the Borough's economy and hence economic growth. The Core Strategy also aims to consolidate and enhance linkages to the wider sub-region and delivers the economic benefits of Halton's strategic location and facilities to the Borough's residents and businesses.

5.5 A Safer Halton

Making Halton safer is a key consideration for the Core Strategy, which aims to ensure that Halton's communities, businesses and visitors enjoy access to a safe and sustainable physical environment with natural and man-made risks and hazards being minimised. A number of policies seek to create and sustain safer environments, which are well designed, well built, well maintained and valued by all members of society.

6.0 RISK ANALYSIS

6.1 In approving the Plan for 'publication' the Council is confirming that it believes the plan to be sound, however given the changing regulatory regime and the recent abolition of Regional Spatial Strategy the biggest risk to the Plan is that an Inspector calls an Exploratory meeting over potential concerns relating to 'soundness'.

6.2 Should this be the case, the Inspector may advise on remedial actions to make the Plan sound, or may advise the Council to seek its withdrawal and potentially have to repeat a stage or stages to resolve the issue(s), with associated time and cost implications.

6.3 Failure to progress towards adoption presents risks in continued reliance on the saved policies from the Halton UDP. Whilst only adopted in 2005, a number of policies have either been superseded by newer guidance, are coming to the end of their time periods or are otherwise becoming more susceptible to challenge raising the possibility of increasing numbers of planning appeals.

7.0 EQUALITY AND DIVERSITY ISSUES

7.1 An integral part of the Core Strategy is to support a socially inclusive environment that takes into account Halton's diverse communities by breaking down unnecessary barriers and exclusions in a manner that benefits the entire Borough. The Equality Impact Assessment demonstrates whether the Plan has any significant foreseeable implications for Halton's communities and ways that these potential effects should be mitigated.

8.0 REASON(S) FOR DECISION

8.1 Publication of the Proposed Submission Document for a statutory minimum 6 week period of public consultation is the final formal consultation stage in the preparation of the Halton Core Strategy. As the Core Strategy is a Development Plan Document, publication for public consultation requires the approval of Executive Board.

9.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9.1 The Core Strategy is the central document in the Halton Local Development Framework, the preparation of which is a requirement of the Planning and Compulsory Purchase Act 2004. As such, there are no alternatives to the preparation of a Core Strategy. The content of the document has been subject to extensive internal and external consultation.

10.0 IMPLEMENTATION DATE

10.1 It is envisaged that the Core Strategy should be subject to an Examination in Public during the summer of 2011 and adopted by December 2011.

11.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

| Document | Place of Inspection | Contact Officer |
|---|--|------------------------|
| Saved Policies and Proposals Mao of the Halton Unitary Development Plan | Places, Economy and Transport Policy Team, Rutland House | Alasdair Cross |
| Halton Core Strategy Preferred Options Documents | Places, Economy and Transport Policy Team, Rutland House | Alasdair Cross |
| Halton Local Development Scheme | Places, Economy and Transport Policy Team, Rutland House | Alasdair Cross |
| Planning Policy Statement 12: Local Spatial Planning | Places, Economy and Transport Policy Team, Rutland House | Alasdair Cross |