

Public Document Pack



**Service Director – Legal, Governance and
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Tuesday 3 October 2023

Notice of Meeting

Dear Member

Growth and Regeneration Scrutiny Panel

The **Growth and Regeneration Scrutiny Panel** will meet in the **Reception Room - Town Hall, Dewsbury** at **11.00 am** on **Monday 25 September 2023**.

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read "Julie Muscroft".

Julie Muscroft

Service Director – Legal, Governance and Commissioning

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

The Growth and Regeneration Scrutiny Panel members are:-

Member

Councillor Moses Crook (Chair)

Councillor Zarina Amin

Councillor Tyler Hawkins

Councillor Susan Lee-Richards

Councillor Harry McCarthy

Councillor John Taylor

Jonathan Milner (Co-Optee)

Chris Friend (Co-Optee)

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Panel

To receive apologies for absence from those Members who are unable to attend the meeting.

2: Declaration of Interests

1 - 2

Members will be asked to say if there are any items on the Agenda in which they have any disclosable pecuniary interests or any other interests, which may prevent them from participating in any discussion of the items or participating in any vote upon the items.

3: Admission of the Public

Most agenda items take place in public. This only changes where there is a need to consider exempt information, as contained at Schedule 12A of the Local Government Act 1972. You will be informed at this point which items are to be recommended for exclusion and to be resolved by the Panel.

4: Deputations/Petitions

The Panel will receive any petitions and/or deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also submit a petition at the meeting relating to a matter on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10, Members of the Public must submit a deputation in writing, at least three clear working days in advance of the meeting and shall subsequently be notified if the deputation shall be heard. A maximum of four deputations shall be heard at any one meeting.

5: Public Question Time

To receive any public questions.

In accordance with Council Procedure Rule 11, the period for the asking and answering of public questions shall not exceed 15 minutes.

Any questions must be submitted in writing at least three clear working days in advance of the meeting.

6: Kirklees Local Plan Review Process and Update

3 - 26

A report to raise awareness of the statutory requirement to undertake a review of the Local Plan and to highlight the approach taken during the review.

Contact: Johanna Scrutton, Planning Policy Team Leader, Planning Policy Group; Mathias Franklin, Head of Planning and Development

7: Update on the Kirklees Wide Town Centres and Small Centres Programme

To receive an update and presentation on the Kirklees Wide Town Centres and Small Centres Programme.

Contact: Simon Taylor, Head of Town Centre Programmes

8: Work Programme and Forward Plan

27 - 36

The Panel will consider its Work Programme and Forward Plan of Key Decisions.

Contact: Jenny Bryce-Chan, Principal Governance Officer; Philip Todd, Democracy Officer

KIRKLEES COUNCIL

COUNCIL/CABINET/COMMITTEE MEETINGS ETC

DECLARATION OF INTERESTS

Growth & Regeneration Scrutiny Panel

Name of Councillor

Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]	Brief description of your interest

Signed:

Dated:

NOTES

Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

(a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and

(b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



Name of meeting: Growth and Regeneration Scrutiny Panel

Date: 25th September 2023

Title of report: Kirklees Local Plan Review Process and Update

Purpose of report:

- To raise awareness of the statutory requirement to undertake a review of whether the Local Plan is fit for purpose within five years of the date of adoption. In the case of the Kirklees Local Plan, the council will need to publish its findings by February 2024.
- To highlight the approach taken to review the Kirklees Local Plan including the role of an independent critical friend.
- To note the next steps for ratification of the outcomes of the Local Plan review and decision-making process to proceed with an update of the Local Plan dependent on the outcome of the review.

Key Decision - Is it likely to result in spending or saving £500k or more, or to have a significant effect on two or more electoral wards? Decisions having a particularly significant effect on a single ward may also be treated as if they were key decisions.	Affects all wards.
Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u>?	Key Decision – Yes Private Report/Private Appendix – No
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by <u>Strategic Director</u> & name Is it also signed off by the Service Director for Finance? Is it also signed off by the Service Director for Legal Governance and Commissioning?	David Shepherd (8th September 2023) Isabel Brittain (13th September) Julie Muscroft (12th September 2023)
Cabinet member portfolio	Cllr Graham Turner

Electoral wards affected: All

Ward councillors consulted:

Portfolio holder Briefing: (Cllr Graham Turner)

Public or private: Public

Has GDPR been considered?

No personal data is contained in this report.

1. Summary

A formal 'review' of whether the Local Plan remains fit for purpose must be published within 5 years of Local Plan adoption (by February 2024). The decision to commence a review was delegated to the Strategic Director of Growth and Regeneration. Officers are reviewing the plan using a standard template produced by the Planning Advisory Service. There is internal consultation across services to inform the review.

The report sets out the process of review with timelines and how outcomes of the review will be ratified. The report also sets out the process and proposed timetable for a partial or full review of the Local Plan dependant on the outcome of the review.

2. Information required to take a decision

Local Plan Review Process

Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 as amended, states that local planning authorities must review their plans every five years from the date of adoption. Section 17 of the Planning and Compulsory Purchase Act 2004 (PCP Act) requires them to publish their reasons if they consider that no update is necessary.

The National Planning Policy Framework (NPPF) (2021), Para 33 states that "Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary".

A formal decision to start the 'review' was delegated to the Strategic Director Growth and Regeneration, David Shepherd. The Significant officer Decision Notice can be viewed at: [Issue details - Kirklees Local Plan Review \(Statutory requirement\) | Kirklees Council](#)

To raise public awareness of the Local Plan Review an article was placed in Kirklees Together, press releases and all social media platforms (see Section 5 Engagement).

To assist all local planning authorities with the process of plan review, the Local Government Association has worked with the Planning Advisory Service to produce advice, and an assessment toolkit. This includes standardised templates and questions to assess whether the plan is “fit for purpose”. Kirklees officers are using the PAS template to assess and record the outcomes of the Local Plan review. A copy of the review questions is outlined at **Appendix 1** of this report. The use of the template is considered to provide a transparent and consistent approach to the process, allowing the opportunity to benchmark against other authorities and to consider good practice.

Planning policy has consulted internally with other council Services to gain their views based on their experience and judgements on applying Local Plan policies in the consideration of their own work areas and to support the delivery of their own strategies or projects. Services include:

- Climate Change
- Conservation
- Development Management
- Economy and Skills
- Education
- Environmental Health
- Environmental Strategy
- Housing Growth
- Landscape
- Major Projects
- Public Health
- Public Protection
- Strategic Partnerships
- Transport Strategy and Policy
- Waste

The full outcomes of the review and a position statement on whether the Local Plan is up to date or requires an update (either partial or full) will be reported to Cabinet on 17th October 2023.

To undertake an update of the Local Plan requires a Full Council decision and could take place in November 2023.

The Planning Officers Society (POS) has been appointed as a critical friend for the Local Plan review process to further increase the robustness of the process. This action has been undertaken following advice from officers at Barnsley Council who have recently completed a Local Plan review. The Planning Officer’s Society remit is to provide independent advice and guidance to local planning authorities and to lobby at a national level for good practice.

POS provided some initial thoughts on the process for the council to consider in taking forward outcomes from the review in relation to partial or full review.

a) “A partial review must follow the same processes and stages as the

preparation of a new plan or full plan update and the amount of work, costs and resources involved should not be under-estimated”.

b) Partial reviews generally are only suitable where there is a specific part of the plan that is considered out of date. Due to the inter-relationships between the spatial strategy and the policies and between policies themselves, a full review is likely to be of most benefit. Additionally, advice from the Planning Officers Society based on cases elsewhere in the country, is that partial reviews have resulted in confusion for the public where different parts of the Local Plan were updated at different times.

Question B4 of the PAS template outlined at **Appendix 1** requires reasons for the scope of the review to be outlined providing the justification for a partial or full review. This view will be presented as part of the Cabinet Report on 17th October 2023.

Officers are aware of the current uncertainties relating to proposed national planning system changes and planning reforms. However, evidence to support the Local Plan and early engagement are key to both the current and proposed reforms. Therefore, to ensure expedient progress is made on Local Plan 2, a potential timeline for a Local Plan update is set out below:

Section 15 of the Planning and Compulsory Act 2004 (as amended) requires the production of a Local Development Scheme (a timetable setting out the different stages of plan preparation including key stages of consultation etc). Following a Full Council decision to start Local Plan 2, there would need to be a Cabinet decision to approve the Local Development Scheme.

Local Plan 2 – potential timetable

The likely timescales for Local Plan 2 are as follows:

Local Plan preparation stage	Consultation periods	Timescale
Local Development Scheme (LDS) (local plan timetable) approved by the Cabinet		December 2023
Statement of Community Involvement (SCI) – setting out how we will consult the community	6-week consultation (optional)	March 2024
Early engagement about spatial strategy, broad ideas about scale of growth and Call for Sites.	Period of engagement at least 6 weeks	August 2024
Draft Local Plan – showing spatial strategy, draft site allocations and policies)	6-week consultation	September 2025
Publication Draft Local Plan – showing the final version of the plan supported by the Council which is then submitted for independent examination)	6-week consultation (representations period)	September 2026
Submission to the Secretary of State followed by an independent examination in public	The plan would then have a formal Examination in Public	March 2027

The timeline for the preparation of Local Plan 2 allows for public consultation on a Statement of Community Involvement (a document which sets out how

communities will be consulted during the Local Plan process). This consultation is no longer mandatory, but many authorities still consult on the document to allow communities to have their say on different consultation methods. Compliance with an up-to-date LDS and SCI are issues which will be assessed at the independent Local Plan examination stage.

The legal regulations state that there must be a minimum of 2 stages of public consultation (early engagement and a final Publication Draft Local Plan which is then submitted to the Secretary of State for examination). To follow such an approach is a high-risk strategy because the process moves from early engagement about the potential scope of the plan straight to a final Publication plan (which includes sites and policies) and risks accusations of a done deal and that consultation did not shape the plan in a meaningful way.

As such, 3 consultation stages are recommended with consultation on a Draft Local Plan (the first-time site allocations and policies are set out) between the Early Engagement stage and the final Publication Draft consultations. The most controversial aspect of Local Plan preparation is normally this Draft Local Plan stage as this is the point where the draft site allocations are first published (housing allocations, employment allocations etc). Having this stage ensures meaningful consultation and allows issues raised in the consultation to be rectified through changes or further evidence gathering which minimises risks of significant new issues being raised at the Publication Draft stage (as that stage articulates the council's view of the final Local Plan). This approach is widely accepted as best practice to de-risk the process and was the approach followed in Local Plan 1. The most controversial Draft Local Plan stage would be prepared early in 2025 and the consultation would occur in September 2025.

It should be noted that the government is currently proposing changes to the plan-making system as part of the Levelling Up and Regeneration Bill and associated consultations. A new plan-making process would need to react to such changes as they emerge.

3. Implications for the Council

3.1 Working with People

The Local Plan review is a technical assessment based on a standard Planning Advisory Service template and is not subject to public consultation. The Local Plan 2 process would potentially include consultation on a revised Statement of Community Involvement as well as three stages of public consultation. The legal regulations state that at least two stages of consultation are required, however, it is the view of officers that three stages should be undertaken to ensure meaningful engagement and more certainty to meet the regulations. Undertaking just two stages of consultation on the Local Plan would raise significant risks of undermining the early engagement process and that significant risks could be raised late in the Local Plan process.

3.2 Working with Partners

Officers have liaised with Barnsley Council where its Local Plan review has recently been undertaken. The conclusions of the review were subject to a critical friend assessment from the Planning Officers Society to ensure a second opinion was sought on the review outcomes.

The Local Plan review process also includes adhering to the Duty to Co-Operate requirements, part of which will include meeting with adjoining authorities in relation to the review outcomes. The Local Plan 2 process will involve working with other services within the council as well as partners (such as those relating to infrastructure provision) and the Duty to Co-operate will need to be satisfied through the plan preparation process. A series of public consultations throughout the preparation of Local Plan 2 will enable a range of partners to engage further in the process.

3.3 Place Based Working

The Local Plan 2 process will take account of the range of different characteristics and communities across Kirklees, for example assessing housing needs. It will also seek the views of communities from the inception of the plan-making process through early engagement exercises and throughout the process. Consultation proposals would be set out in an updated Statement of Community Involvement and would embrace council approaches such as the Inclusive Communities Framework.

3.4 Climate Change and Air Quality

The draft Local Plan review sets out the Climate Emergency as one of the key factors indicating a Local Plan update is required. Although the current Local Plan was assessed as sustainable during the Local Plan process, it doesn't specifically set out how developments will contribute to the net zero targets by 2038. A revised Local Plan provides the opportunity to take account of the Kirklees Climate Change Action Plan and consider how planning policy interventions can contribute towards reducing carbon emissions and ensuring resilience against climate change.

3.5 Improving outcomes for children

The Local Plan review is a technical exercise to be undertaken stating whether the Local Plan remains up to date. Local Plan 2 would need to consider the needs of children through ensuring sufficient education facilities are available to meet the needs of new developments but also links to health outcomes by protecting valuable open spaces close to where children live and providing housing to meet local needs.

3.6 Financial Implications for the people living or working in Kirklees

A new Local Plan will include identifying and meeting the needs for housing and employment across Kirklees.

3.7 Other (e.g., Integrated Impact Assessment (IIA)/Legal/Financial or Human Resources) Consultees and their opinions

- Financial - Costs to prepare a new Local Plan will be considerable, up to £2m. This would be refined as the process evolves and includes consideration of areas of work across the council such as the Transport Model which can also be used for other work areas. Local Plan costs are identified as the first call on the Kirklees share of the Leeds City Region business rates pool.
- Staff resources - The Local Plan timetable has been set out in the context of existing resources within Planning Policy but would also require commitment from a range of service areas to assist with this process. Consultancy support will also be required in relation to some specialist topic areas (such as Sustainability Appraisal, viability).
- Legal/Governance – governance advice has been taken in relation to the decision-making process to inform the options in this report. Planning Policy will liaise with Legal Services as the review process progresses.
- Integrated Impact Assessment (IIA) – an IIA will be undertaken dependant on a decision by Full Council to proceed with an update of the Local Plan.

4. Consultation

There are no statutory requirements for consultation on a Local Plan review (assessment of whether it is fit for purpose). The decision to commence a review has however, been publicised through the mediums outlined in Section 5. There are statutory consultation requirements for an update of the Local Plan. These are outlined under the Local Plan 2 potential timetable.

Section 15 of the Planning and Compulsory Act 2004 (as amended) requires the production of a Local Development Scheme (a timetable setting out the different stages of plan preparation including key stages of consultation etc). Following a Full Council decision to start Local Plan 2, there would need to be a Cabinet decision to approve an updated Local Development Scheme. The council is also required to produce a Statement of Community Involvement which sets out who, when and how consultation on the Local Plan will take place.

5. Engagement

The launch of the Local Plan review was communicated through the following ways:

- Kirklees Together: [We're reviewing the Kirklees Local Plan - Kirklees Together](#)
- All social media platforms
- Local press: Examiner Series, Dewsbury Reporter

At the point that an update of the Local Plan is approved, statutory requirements (as outlined at Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012) require early engagement of “specific” and “general” consultation bodies, residents, and businesses.

6. Next steps and timelines

- Cabinet - 17th October 2023 – to ratify the outcomes of the Local Plan review.
Full Council – November 2023 dependent on Cabinet.

7. Officer recommendations and reasons

Scrutiny Panel to note the following: the statutory requirement to undertake a review of the Local Plan within 5 years of adoption, the process of review, involvement of the Planning Advisory Service, the process for ratification of the review findings by Cabinet and the role of Council to approve an update of the Local Plan dependent on the outcomes of the review.

Reason: Scrutiny Panel requested an outline of the review process and next steps to ensure transparency of process.

8. Cabinet Portfolio Holder’s recommendations

Cllr Graham Turner was briefed on the Kirklees Local Plan review on (12th September 2023).

9. Contact officer

Jo Scrutton
Planning Policy Team Leader, Planning Policy Group
Johanna.scrutton@kirklees.gov.uk
(01484) 221000

Mathias Franklin
Head of Planning and Development
Mathias.franklin@kirklees.gov.uk
(01484) 221000

10. Background Papers and History of Decisions

Kirklees Local Plan adopted 27th February 2019: (www.kirklees.gov.uk/localplan)

Significant Officer’s Decision Notice: [Issue details - Kirklees Local Plan Review \(Statutory requirement\) | Kirklees Council](#)

Planning Advisory Service (PAS) Local Plan Route Mapper Toolkit Part 1: Local plan Review Assessment: [TOOLKIT PART 1 LOCAL PLAN REVIEW OCT 2019.docx \(live.com\)](#)

11. Service Director responsible

David Shepherd
Strategic Director Growth and Regeneration
david.shepherd@kirklees.gov.uk

Appendix 1 - PAS LOCAL PLAN ROUTE MAPPER TOOLKIT PART 1: LOCAL PLAN REVIEW ASSESSMENT

Why you should use this part of the toolkit

The following matrix will assist you in undertaking a review of policies within your plan to assess whether they need updating.

The matrix is intended to supplement the [National Planning Policy Framework](#) (NPPF) (paragraph 33 in particular) and the associated [National Planning Practice Guidance](#) on the review of policies within the plan. Completing the matrix will help you understand which policies may be out of date for the purposes of decision making or where circumstances may have changed and whether or not the policy / policies in the plan continue to be effective in addressing the specific local issues that are identified the plan. This in turn will then help you to focus on whether and to what extent, an update of your policies is required. We would recommend that you undertake this assessment even if your adopted local plan already contains a trigger for review which has already resulted in you knowing that it needs to be updated. This is because there may be other policies within the plan which should be, or would benefit from, being updated.

This part of the toolkit deals only with local plan review. Part 2 of the toolkit sets out the content requirements for a local plan as set out in the NPPF. Part 3 of the toolkit outlines the process requirements for plan preparation set out in legislation and the NPPF. Soundness and Plan Quality issues are dealt with in Part 4 of the toolkit.

How to use this part of the toolkit

Before using this assessment tool it is important that you first consider your existing plan against the key requirements for the content of local plans which are included in the [Planning and Compulsory Purchase Act 2004 \(as amended\)](#); [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012 \(as amended\)](#) and the most up to date [NPPF](#), [PPG](#), Written Ministerial Statements and the [National Model Design Code](#). To help you with this **Part 2 of the toolkit** provides a checklist which sets out the principal requirements for the content and form of local plans against the relevant paragraphs of the [NPPF](#). Completing **Part 2 of the toolkit** will help you determine the extent to which your current plan does or does not accord with relevant key requirements in national policy. This will assist you in completing question 1 in the assessment matrix provided below, and in deciding whether or not you need to update policies in your plan, and to what extent.

To use the matrix, consider each of the statements listed in the “requirements to consider” column against the content of your current plan. You will need to take into consideration policies in all development plan documents that make up your development plan, including any ‘made’ neighbourhood plans and/ or any adopted or emerging Strategic Development Strategy. For each statement decide whether you:

- Disagree (on the basis that your plan does not meet the requirement at all);
- Agree (on the basis that you are confident that your current plan will meet the requirement)

Some prompts are included to help you think through the issues and support your assessment. You may wish to add to these reflecting on your own context.

Complete all sections of the matrix as objectively and fully as possible. Provide justification for your conclusions with reference to relevant sources of evidence where appropriate. You will need an up to date Authority Monitoring Report, your latest Housing Delivery Test results, 5 year housing land supply position, any local design guides or codes and the latest standard methodology housing needs information. You may also need to rely on or update other sources of evidence but take a proportionate approach to this. It should be noted that any decision not to update any policies in your local plan will need to be clearly evidenced and justified.

How to use the results of this part of the toolkit

The completed assessment can also be used as the basis for, or as evidence to support, any formal decision of the council in accordance with its constitution or in the case of, for example, Joint Planning Committees, the relevant Terms of Reference in relation to the approach to formal decision-making, as to why an update to the local plan is or is not being pursued. This accords with national guidance and supports the principle of openness and transparency of decision making by public bodies.

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A	PLAN REVIEW FACTORS		
A1.	<p>The plan policies still reflect current national planning policy requirements.</p> <p>PROMPT: As set out above in the introductory text, in providing your answer to this statement consider if the policies in your plan still meet the ‘content’ requirements of the current NPPF, PPG, Written Ministerial Statements and the National Model Design Code (completing Part 2 of the toolkit will help you determine the extent to which the policies in your plan accord with relevant key requirements in national policy).</p>		Reason (with reference to plan policies, sections and relevant evidence):
A2.	<p>There has not been a <u>significant</u> change in local housing need numbers from that specified in your plan (accepting there will be some degree of flux).</p> <p>PROMPT: Look at whether your local housing need figure, using the standard methodology as a starting point, has gone up significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan).</p> <p>Consider whether your local housing need figure has gone down significantly (with the measure of significance based on a comparison with the housing requirement set out in your adopted local plan). You will need to consider if there is robust evidence to demonstrate that your current housing requirement is deliverable in terms of market capacity or if it supports, for example, growth strategies such as Housing Deals, new strategic infrastructure investment or formal agreements to meet unmet need from neighbouring authority areas.</p>		Reason (with reference to plan policies, sections and relevant evidence sources):

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A3.	<p>You have a 5-year supply of housing land</p> <p>PROMPT: Review your 5-year housing land supply in accordance with national guidance including planning practice guidance and the Housing Delivery Test measurement rule book</p>		Reason (with reference to plan policies, sections and relevant evidence sources):
A4.	<p>You are meeting housing delivery targets</p> <p>PROMPT: Use the results of your most recent Housing Delivery Test, and if possible, try and forecast the outcome of future Housing Delivery Test findings. Consider whether these have/are likely to trigger the requirement for the development of an action plan or trigger the presumption in favour of sustainable development. Consider the reasons for this and whether you need to review the site allocations that your plan is reliant upon. In doing so you need to make a judgement as to whether updating your local plan will support delivery or whether there are other actions needed which are not dependent on changes to the local plan.</p>		
A5.	<p>Your plan policies are on track to deliver other plan objectives including any (i) affordable housing targets including requirements for First Homes; and (ii) commercial floorspace/jobs targets over the remaining plan period.</p> <p>PROMPT: Use (or update) your Authority Monitoring Report to assess delivery.</p>		

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A6.	<p>There have been no significant changes in economic conditions which could challenge the delivery of the Plan, including the policy requirements within it.</p> <p>PROMPT: A key employer has shut down or relocated out of the area.</p> <p>Unforeseen events (for example the Covid-19 Pandemic) are impacting upon the delivery of the plan.</p> <p>Up-to-date evidence suggests that jobs growth is likely to be significantly more or less than is currently being planned for.</p> <p>Consider if there is any evidence suggesting that large employment allocations will no longer be required or are no longer likely to be delivered.</p> <p>You will need to consider whether such events impact on assumptions in your adopted local plan which have led to a higher housing requirement than your local housing need assessment indicates.</p> <p>Consider what the consequences could be for your local plan objectives such as the balance of in and out commuting and the resultant impact on proposed transport infrastructure provision (both capacity and viability), air quality or climate change considerations.</p>		<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A7.	<p>There have been no significant changes affecting viability of planned development.</p> <p>PROMPT: You may wish to look at the Building Cost Information Service (BCIS) All-in Tender Price Index, used for the indexation of Community Infrastructure Levy (CIL), or other relevant indices to get a sense of market changes.</p> <p>Consider evidence from recent planning decisions and appeal decisions to determine whether planning policy requirements, including affordable housing, are generally deliverable.</p> <p>Ongoing consultation and engagement with the development industry may highlight any significant challenges to delivery arising from changes in the economic climate.</p>		Reason (with reference to plan policies, sections and relevant evidence sources):
A8.	<p>Key site allocations are delivering, or on course to deliver, in accordance the local plan policies meaning that the delivery of the spatial strategy is not at risk.</p> <p>PROMPT: Identify which sites are central to the delivery of your spatial strategy. Consider if there is evidence to suggest that lack of progress on these sites (individually or collectively) may prejudice the delivery of housing numbers, key infrastructure or other spatial priorities. Sites may be deemed to be key by virtue of their scale, location or type in addition to the role that may have in delivering any associated infrastructure.</p>		Reason (with reference to plan policies, sections and relevant evidence sources):

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A9.	<p>There have been no significant changes to the local environmental or heritage context which have implications for the local plan approach or policies.</p> <p>PROMPT: You may wish to review the indicators or monitoring associated with your Sustainability Appraisal (SA) / Strategic Environmental Assessment (SEA) / Habitats Regulations Assessment (HRA).</p> <p>Identify if there have been any changes in Flood Risk Zones, including as a result of assessing the effects of climate change.</p> <p>Consider whether there have been any changes in air quality which has resulted in the designation of an Air Quality Management Area(s) or which would could result in a likely significant effect on a European designated site which could impact on the ability to deliver housing or employment allocations.</p> <p>Consider whether there have been any changes to Zones of Influence / Impact Risk Zones for European sites and Sites of Special Scientific Interest or new issues in relation to, for example, water quality.</p> <p>Consider whether there have been any new environmental or heritage designations which could impact on the delivery of housing or employment / jobs requirements / targets.</p> <p>Consider any relevant concerns being raised by statutory consultees in your area in relation to the determination of individual planning applications or planning appeals which may impact upon your plan - either now or in the future.</p>		Reason (with reference to plan policies, sections and relevant evidence sources):

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A10.	<p>No new sites have become available since the finalisation of the adopted local plan which require the spatial strategy to be re-evaluated.</p> <p>PROMPT:</p> <p>Consider if there have been any new sites that have become available, particularly those within public ownership which, if they were to come forward for development, could have an impact on the spatial strategy or could result in loss of employment and would have a significant effect on the quality of place if no new use were found for them.</p> <p>Consider whether any sites which have now become available within your area or neighbouring areas could contribute towards meeting any previously identified unmet needs.</p>		<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A11.	<p>Key planned infrastructure projects critical to plan delivery are on track and have not stalled / failed and there are no new major infrastructure programmes with implications for the growth / spatial strategy set out in the plan.</p> <p>PROMPT: You may wish to review your Infrastructure Delivery Plan / Infrastructure Funding Statement, along with any periodic updates, the Capital and Investment programmes of your authority or infrastructure delivery partners and any other tool used to monitor and prioritise the need and delivery of infrastructure to support development.</p> <p>Check if there have been any delays in the delivery of critical infrastructure as a result of other processes such as for the Compulsory Purchase of necessary land.</p> <p>Identify whether any funding announcements or decisions have been made which materially impact upon the delivery of key planned infrastructure, and if so, will this impact upon the delivery of the Local Plan.</p>		<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A12.	<p>All policies in the plan are achievable and effective including for the purpose of decision-making.</p> <p>PROMPT: Consider if these are strategic policies or those, such as Development Management policies, which do not necessarily go to the heart of delivering the Plan’s strategy.</p> <p>Identify if there has been a significant increase in appeals that have been allowed and /or appeals related to a specific policy area that suggest a policy or policies should be reviewed.</p> <p>Consider whether there has been feedback from Development Management colleagues, members of the planning committee, or applicants that policies cannot be effectively applied and / or understood.</p>		<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A13.	<p>There are no recent or forthcoming changes to another authority's development plan or planning context which would have a material impact on your plan / planning context for the area covered by your local plan.</p> <p>PROMPT: In making this assessment you may wish to:</p> <ul style="list-style-type: none"> ● Review emerging and adopted neighbouring authority development plans and their planning context. ● Review any emerging and adopted higher level strategic plans including, where relevant, mayoral/ combined authority Spatial Development Strategies e.g. The London Plan. ● Review any relevant neighbourhood plans ● Consider whether any of the matters highlighted in statements A1- A12 for their plan may impact on your plan - discuss this with the relevant authorities. ● Consider any key topic areas or requests that have arisen through Duty to Cooperate or strategic planning discussions with your neighbours or stakeholders - particularly relating to meeting future development and /or infrastructure needs. 		<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p>

	Matters to consider	Agree / Disagree	Extent to which the local plan meets this requirement
A14.	<p>There are no local political changes or a revised / new corporate strategy which would require a change to the approach set out in the current plan.</p> <p>PROMPT: In making this assessment you may wish to:</p> <ul style="list-style-type: none"> ● Review any manifesto commitments and review the corporate and business plan. ● Engage with your senior management team and undertake appropriate engagement with senior politicians in your authority. ● Consider other plans or strategies being produced across the Council or by partners which may impact on the appropriateness of your current plan and the strategy that underpins it, for instance, Growth Deals, economic growth plans, local industrial strategies produced by the Local Economic Partnership, housing/ regeneration strategies and so on. 		<p>Reason (with reference to plan policies, sections and relevant evidence sources):</p>

	ASSESSING WHETHER OR NOT TO UPDATE YOUR PLAN POLICIES	YES/NO (please indicate below)	
A15.	You AGREE with <u>all</u> of the statements above		<p>If no go to question A16.</p> <p>If yes, you have come to the end of the assessment. However, you must be confident that you are able to demonstrate and fully justify that your existing plan policies / planning position clearly meets the requirements in the statements above and that you have evidence to support your position.</p> <p>Based on the answers you have given above please provide clear explanation and justification in section A17 below of why you have concluded that an update is not necessary including references to evidence or data sources that you have referenced above. Remember you are required to publish the decision not to update your local plan policies. In reaching the conclusion that an update is not necessary the explanation and justification for your decision must be clear, intelligible and able to withstand scrutiny.</p>
A16.	You DISAGREE with one or more of the statements above and the issue can be addressed by an update of local plan policies		<p>If yes, based on the above provide a summary of the key reasons <u>why</u> an update to plan policies is necessary in section A17 below and complete Section B below.</p>
A17.	<p><u>Decision:</u> Update plan policies / No need to update plan policies (delete as necessary)</p> <p>Reasons for decision on whether or not to update plan policies (clear evidence and justification will be required where a decision not to update has been reached):</p> <p>Other actions that may be required in addition to or in place of an update of plan policies</p>		

	B. POLICY UPDATE FACTORS	YES/NO (please indicate below)	Provide details explaining your answer in the context of your plan / local authority area
B1	Your policies update is likely to lead to a material change in the housing requirement which in turn has implications for other plan requirements / the overall evidence base.		
B2	The growth strategy and / or spatial distribution of growth set out in the current plan is not fit for purpose and your policies update is likely to involve a change to this.		
B3	Your policies update is likely to affect more than a single strategic site or one or more strategic policies that will have consequential impacts on other policies of the plan.		
	You have answered yes to one or more questions above.		You are likely to need to undertake a full update of your spatial strategy and strategic policies (and potentially non-strategic policies). Use your responses above to complete Section B4.
	You have said no to <u>all</u> questions (B1 to B3) above		If you are confident that the update can be undertaken without impacting on your spatial strategy and other elements of the Plan, you are likely to only need to undertake a partial update of policies. Complete Section B4 to indicate the specific parts / policies of the plan that are likely to require updating based on the answers you have given above.
B4	Decision: Full Update of Plan Policies/ Partial Update of Plan Policies (delete as necessary) Reasons for scope of review:		

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Date of assessment:	
Assessed by:	
Checked by:	
Comments:	

GROWTH & REGENERATION – SUGGESTED WORK PROGRAMME PRIORITIES 2023/24

PANEL MEMBERS:

Cllr Moses Crook	Lead Member
Cllr John Taylor	Panel Member
Cllr Tyler Hawkins	Panel Member
Cllr Harry McCarthy	Panel Member
Cllr Susan Lee-Richards	Panel Member
Cllr Zarina Amin	Panel Member
Chris Friend	Panel Member (Co-optee)
Jonathan Milner	Panel Member (Co-optee)

GOVERNANCE OFFICER: Jenny Bryce-Chan

FULL PANEL DISCUSSION				
ISSUE	APPROACH/AREAS OF FOCUS	OUTCOME/ACTIONS	STRATEGIC DIRECTOR/SERVICE DIRECTOR AND LEAD OFFICERS	DATE TO PANEL
Introduction to Growth & Reg	An introduction to the Growth and Regeneration Directorate	To enable Panel members to understand the service area and remit of the directorate	Joanne Bartholomew Portfolio holder – Cllr G Turner	3 July 2023
Housing Growth	- Bradley Park - Planning applications		Joanne Bartholomew Portfolio holders – Cllr M Ahmed	3 July 2023
Small Centres Programme	- Update of small centres including budget. Holmfirth, Heckmondwike and Cleckheaton		Joanne Bartholomew Portfolio holder – Cllr G Turner	3 July 2023
Damp Mould and Condensation	- High volume of cases – bring a status update on the situation within the public and private rental sector		Naz Parkar Portfolio holder – Cllr M Ahmed	14 August 2023

Tenant Safety	To also include information on temporary accommodation/bed & breakfast		Naz Parkar Portfolio holder – Cllr M Ahmed	14 August 2023
Huddersfield Town Centre	Maintenance plans on regeneration areas, ie litter picking		Joanne Bartholomew Portfolio holder – Cllr G Turner	25 September 2023
Dewsbury Town Centre	Dewsbury Town Deal Board Opportunity for panel to visit the area		Joanne Bartholomew Portfolio holder – Cllr C Scott	25 September 2023
Small Centres Programme	Batley Small Centre		Joanne Bartholomew Portfolio holder – Cllr G Turner	25 September 2023
Local Plan Review	Feedback on the results of the Local Plan review and next steps		Johanna Scrutton Portfolio holder – Cllr G Turner	25 September 2023
Economic Strategy Refresh			Edward Highfield Cllr G Turner	10 October 2023
Skills (post 16)			Edward Highfield Cllr E Reynolds	10 October 2023
Business Centre Review			Edward Highfield	20 November 2023

			Cllr G Turner	
Corporate Risk	Informal session to consider corporate risk relating to G&R		Martin Dearnley/Alice Carruthers	20 November 2023
Cultural Heart updates Gateways 3/4			Edward Highfield/Joanne Bartholomew Portfolio holder – Cllr G Turner	20 November 2023
Transport Strategy Invite rep from WYCA to the meeting	<ul style="list-style-type: none"> - Active Travel - Understanding the WYCA Transport Strategy - Reference to Greater Manchester and South Yorkshire Transport strategies 		Edward Highfield Portfolio holder: Cllr C Scott	15 January 2024
Transport Programme	<ul style="list-style-type: none"> - Delivery of individual transport schemes - What has been achieved so far and looking ahead - Transport & Work Act Order - TRU - How the programmes link to the wider strategy 		Edward Highfield Portfolio holder: Cllr C Scott	15 January 2024
Small Centres Programme	<ul style="list-style-type: none"> - Marsden 		Joanne Bartholomew Portfolio holder – Cllr G Turner	26 February 2024
Complaints Handling (Council Housing Tenants/Private Sector)	Learning from ombudsman cases		Naz Parkar/Jill Greenfield/Joanne Bartholomew Portfolio holder – Cllr M Ahmed	26 February 2024

Potential to invite chair of the Housing Board	Should include private housing sector & supported housing Neighbour complaints Anti-social behaviour Repairs			
Local Plan Review	Remit of the Local Plan		Edward Highfield Cllr G Turner	26 February 2024
Building Safety & Compliance Combined Action Plan <i>(Formerly known as Ad Hoc Scrutiny Recommendations)</i>			Naz Parkar Portfolio holder – Cllr M Ahmed	25 March 2024
Housing Growth (progress update from 3 July 2023)	To include - Homelessness - Adaptations - Building life-time homes - Impact on decrease in buy to let		Portfolio holder – Cllr M Ahmed	25 March 2024
Review work programme				

PRE-DECISION

Station to Stadium Regen work

Meeting dates:

- 3 July 2023
- 14 August 2023
- 25 September 2023
- 10 October 2023
- 20 November 2023
- 15 January 2023
- 26 February 2024
- 25 March 2024

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Forward Plan - 1 September 2023 onwards

Subject / Decision	Decision Maker	Decision Due Date	Consultation	Likely Exemption	Member / Officer Contact
<p>Local Flood Risk Management Strategy 2023 The Council, as Lead Local Flood Authority, has a legal duty under the Flood and Water Management Act 2010 to produce, implement and monitor a Local Flood Risk Management Strategy (Local Strategy). Council's original strategy was published in 2013, a summary refresh was made in 2019 to provide an up-to-date evidence base to support the measures identified in the current Action Plan.</p> <p>The Local Strategy summarises the duties, responsibilities and actions that the Council will embrace to manage local sources of flood risk. It must align with the National Strategy produced by the Environment Agency.</p>	Cabinet	Not before 1st Nov 2023	<p>Engagement via workshops have taken place at the very beginning prior to drafting the strategy so key stakeholders can help shape the new strategy from the outset.</p> <p>Internal workshops have taken place with internal services such as Planning, Highways, Climate Change and Emergency Planning colleagues.</p> <p>An external workshop has taken place with Yorkshire Water, Environment Agency, and key partners such as the National Trust and many others.</p> <p>Periodic updates have been given to the Portfolio Holders.</p>	Open	Portfolio Holder for Finance & Regeneration <i>Paul Farndale</i>

Forward Plan - 1 September 2023 onwards

<p>A revised National Strategy was published in July 2020 and was formally adopted by government in September 2020. This strategy describes what needs to be done by all risk management authorities (RMAs) involved in flood and coastal erosion risk management for the benefit of people and places.</p> <p>This has been a key driver to reviewing our current Local Flood Risk Management Strategy in ensuring alignment with the National Strategy.</p>			<p>A public consultation exercise will be undertaken on the new strategy and its associated documents. A survey will be set up to encourage residents to express their thoughts and opinions.</p> <p>All Members and Parish Councillors will be directed to the draft documents for comments. A separate workshop is intended to be set up with local flood community groups.</p> <p>A summary Consultation Report will be prepared to capture comments received.</p>		
<p>Leisure Centre Review To update Cabinet on the financial challenges facing leisure centres and the implications this is likely to have on the current service offer.</p> <p>The report will seek agreement to progress to a non-statutory consultation</p>	Cabinet	26 Sep 2023	<p>A non-statutory consultation around the future of the leisure offer in Kirklees will take place following the Cabinet meeting (subject to Cabinet approval to proceed).</p>	Open	<p>Portfolio Holder for Finance & Regeneration <i>Adele Poppleton, Service Director for Culture and Visitor Economy</i> adele.poppleton@kirklees.gov.uk</p>

Forward Plan - 1 September 2023 onwards

to aid decision making around any future changes to the current estate.					
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