



South Warwickshire Together

Joint Cabinet/Executive Committee

Notice of Meeting

Thursday 23 November 2023

6.00 p.m.

**Elizabeth House
Church Street
Stratford-upon-Avon
Warwickshire
CV37 6HX**

Members of the Committee are requested to attend

Chairman: To be appointed at each meeting

Councillors:

Stratford-on-Avon

Warwick

S Juned

I Davison

N Rock

C King

L Coles

J Kennedy

Observers:

Chairman of Stratford-on-Avon District Council Overview and Scrutiny Committee

Councillor Crump

Chairman of Warwick District Council Overview and Scrutiny Committee

Councillor Milton

Leader of Stratford-on-Avon District Council Conservative Group

Councillor Whalley-Hoggins

Warwick District Council Liberal Democrat Group

Councillor Boad

Warwick District Council Labour Group

Councillor Wightman

Warwick District Council Conservative Group

Councillor Day

Warwick District Council WRA Group

Councillor Falp

JOINT CABINET/EXECUTIVE COMMITTEE

23 November 2023

AGENDA

1. Appointment of Chairman

To appoint a Chairman for each meeting from the members of the Council that is hosting the meeting.

Apologies for Absence

3. Disclosures of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be disclosed during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

4. Minutes of Previous Meetings

(Pages 1 - 12)

To confirm and sign the Minutes of the meeting held on 7 December 2023.

5. Revisions to the timetable for preparing the South Warwickshire Local Plan

(Pages 1 - 10)

To consider a report from Place, Arts & Economy.

CHIEF EXECUTIVES
Stratford-on Avon and Warwick District Councils

David Buckland
Chief Executive
(Head of Paid Service)
Stratford-on-Avon District Council
Elizabeth House, Church Street
Stratford-upon-Avon
CV37 6HX

Chris Elliott
Chief Executive
(Head of Paid Service)
Warwick District Council
Milverton Hill
Royal Leamington Spa
CV32 5HZ

General Enquiries: Please contact either:

Stratford-on-Avon District Council, Elizabeth House, Church Street
Stratford-upon-Avon CV37 6HX
Telephone 01789 260245
Email committeemanagers@stratford-dc.gov.uk

Warwick District Council, Riverside House, Milverton Hill,
Royal Leamington Spa CV32 5HZ
Telephone: 01926 456114
Email: committee@warwickdc.gov.uk

For enquiries about specific reports, please contact the officers named in the reports

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Joint Cabinet Committee

Minutes of the meeting held on Wednesday 7 December 2022 in the Town Hall, Royal Leamington Spa at 4.00pm.

Present:

Stratford-on-Avon District Council: Councillors Parry, Pemberton and Shenton.
Warwick District Council: Councillors Day, Hales and Tracey.

Also Present: Councillor Milton (Chair of Warwick District Overview & Scrutiny Committee), Councillor Cullinan (Labour Group Observer), Councillor Davison (Green Group Observer); and Councillor Illingworth (observing).

7. **Appointment of Chairman**

It was proposed by Councillor Tracey, seconded by Councillor Pemberton and

Resolved that Councillor Day be appointed as Chairman up to the next meeting.

8. **Apologies for Absence**

Apologies were received from Councillors Crump and Juned, and Councillor Tracey substituted for Councillor Cooke.

9. **Disclosures of Interest**

There were no declarations of interest made.

10. **Minutes of Previous Meetings**

- (a) The minutes of the 14 April 2021, 10 March 2022, and 29 June 2022 were taken as read and signed by the Chairman as a correct record; and
- (b) The minutes are numbered sequentially to start from 1 from the start of each municipal year.

11. **South Warwickshire Local Plan Part 1 – Issues and Options Consultation**

The Committee considered a report from the Head of Development - Stratford-on-Avon District Council, and the Head of Place, Arts & Economy – Warwick District Council which asked them to endorse the South Warwickshire Local Plan Issues and Options document (attached as Appendix 5 to the report) for consultation commencing in January 2023. The report set out the background to the consultation document itself. It also sought to note the accompanying Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA).

The South Warwickshire Local Plan (SWLP) was the name for a suite of planning documents that would manage development across Stratford-on-Avon and Warwick Districts to 2050. The SWLP was being prepared in parts, with work underway on Part 1 focusing on strategic planning matters, e.g. how much development went where. In summary, Part 1 aimed to establish a new planning strategy and principles for development that set a robust yet flexible

framework for subsequent detailed local plan documents.

Preparing a Local Plan was not a one-off event and there were numerous stages of preparation and public consultation. In terms of the SWLP Part 1, this was the second stage of preparation and followed on from the Scoping and Call for Sites Consultation undertaken in summer 2021. More information about the previous consultation was available at www.southwarwickshire.org.uk/swlp. The stages of plan-preparation were as follows:

1. Scoping and Call for Sites (including public consultation).
2. Issues and Options (including public consultation).
3. Preferred Options (including public consultation).
4. Publication (including public consultation).
5. Submission.
6. Examination.
7. Main Modifications (including public consultation).
8. Adoption.

As could be seen, the Councils were still at an early stage of plan preparation and the Issues and Options (I&O) was very much an ideas paper that asked a series of questions about how both Councils might best address the difficult development challenges facing South Warwickshire to 2050. Following the consultation, there would be refinement of the plan and further rounds of public and stakeholder engagement. This process of refinement could be conceptualised as the image in Figure 1 in section 1.6 in the report. It was important to stress that the Issues and Options consultation was an ideas paper where a variety of options were explored, and feedback sought on those proposals. The Issues and Options was not making any decisions – although the SWLP would, of course, need to make difficult decisions in due course.

It should also have been noted that, although there were various rounds of formal consultation, preparation of the plan also included ongoing engagement throughout. An example of this was the large map and toy brick exercises held over the summer with stakeholders that had helped shape the content of this document.

A key stage was Preferred Options (Stage 3), as this would be the first draft version of the actual plan itself. This then got refined until it what was considered to be the final version of the plan was submitted for examination. The purpose of the Examination in Public was to test that the plan had been prepared properly and was fit for purpose (i.e. sound) in that it had been prepared positively to meet the development challenges facing the Districts. This point was important – whilst it is the plan, there was not a 'free hand'. The benefit of having a plan was that both Councils retained control of plan-making across South Warwickshire and could better ensure that development (that would happen regardless) reflected both Councils' aspirations, ambitions and objectives.

The SWLP was essential in delivering on both Councils' economic development aspirations to grow the economy post COVID-19 and capitalise on economic assets, including through the provision of additional high-quality jobs.

Figure 1 at Paragraph 1.6 in the report set out the Local Plan Refinement. In preparing the SWLP, aside from the Joint Committee, there were three key

groups. The first was the Member Advisory Group comprising cross-party Members from both District Councils that met regularly to provide a steer on the preparation of the SWLP. The second was the Officer Steering Group comprising officers from across both Councils and Warwickshire County Council. The third group was the Place Board and its associated infrastructure groups which acted as a forum for ongoing engagement, most recently the large map and toy brick exercises.

A Housing & Economic Development Needs Assessment (HEDNA) had been prepared to support the work on the SWLP and it would be an important part of the evidence base for the Plan. The purpose of the HEDNA was to provide a joint and integrated assessment of the likely future needs for housing and employment land, taking into account the economic potential and needed of all households in South Warwickshire for the period up to 2050 (the proposed end date of the SWLP). It was good practice to commission such studies jointly with other authorities because housing needs needed to be considered across wider "Housing Market Areas". South Warwickshire lay in the Coventry & Warwickshire Housing Market Area. This HEDNA had therefore been commissioned jointly by all the local authorities across Coventry and Warwickshire. It had been undertaken by a team of independent consultants led by Icen Projects. A copy of the Executive Summary of the HEDNA was attached as Appendix 1(a) to the report and the full report as Appendix 1(b) to the report (combined as Appendix 1 to the report).

The key findings of the HEDNA were as follows.

It identified a need for 345 hectares of land for office and general industrial development in South Warwickshire to 2050. In addition, it identified a sub-regional need for strategic warehousing/ logistics which would need to be met across the sub-region. This was shown in Figure 2 in section 1.10 in the report.

It identified a need for South Warwickshire to deliver 1,679 new homes per year (868 for SDC and 811 for WDC) to meet both Councils' housing needs. This was shown in Figure 3 in paragraph 1.11 in the report.

It was important to understand the basis upon which the HEDNA had derived these figures. The Government had set out a standard method for assessing housing need. This took 2014-based Household Projections (produced by the Office for National Statistics (ONS)) as its starting point. (The 2014-based Household Projections were household numbers based on long-term demographic trends over a 25-year period.) The standard method then used a prescribed approach which applied an uplift to this based on the relative housing affordability position of individual local authorities. For cities such as Coventry, a further 35% uplift was also applied.

The standard method, as applied across Coventry and Warwickshire, was shown in Figure 3 at paragraph 1.11 in the report. As could be seen, across the Housing Market Area, using the 2014-based projections, gave a higher overall housing figure than the HEDNA was projecting, however a lower figure for Stratford-on-Avon and Warwick Districts.

It would be normal to use the 2014-based projections as the basis for estimating housing need. The reason that the HEDNA had not done this was because recent initial outputs from the 2021 census had revealed that

previous household projections produced by the Office for National Statistics, particularly as they related to the population of Coventry, had overestimated the population of the city. As such, there were concerns about any projections of future population based on these old projections. The HEDNA had also applied more up-to-date (and therefore accurate) assumptions about fertility, mortality and household formation rates. The 2021 census was a more robust and reliable basis for considering population projections.

The HEDNA identified a total need for affordable housing across South Warwickshire of c1,388 per year. This included both those in need of social/affordable rented homes and those with affordable home ownership needs. This figure did not mean that the SWLP should seek to meet this need in full through new dwellings, as there were different ways in which this need could be met. It would provide a basis upon which further work could be done to explore how to deliver affordable homes through the SWLP to meet the needs of both Councils' communities.

The HEDNA also provided guidance on suggested mix of houses of different sizes, levels of specialist housing need and levels of self and custom build housing. It also considered the issue of the student population.

It should have been noted that whilst the HEDNA looked at the issue of the need for employment and housing across all authorities in the sub-region, it did not make any assessment of whether those needs could be met within each local authority area. Currently part of SDC's overall housing requirement in the Core Strategy was to meet needs from the Greater Birmingham & Black Country Housing Market Area. Similarly, part of WDC's overall housing requirement in the current Local Plan was to meet Coventry's housing need. As part of preparing the SWLP, there would need to be further discussions with adjacent and other authorities to establish how any unmet needs in any authority area would be met in surrounding authorities. This was part of the "Duty to Cooperate" process (see also later in the report).

Although the figures contained in the HEDNA were challenging for the SWLP, they did represent up-to-date evidence based, importantly, on the latest 2021 census. Whilst there would undoubtedly be questions that both Councils, and many local stakeholders, would want to ask about the figures in the HEDNA, they did provide a credible basis on which to explore the issues and options that the SWLP would need to consider. Importantly, publishing the HEDNA alongside the Issues & Options paper would give an opportunity for all interested parties to comment on the HEDNA. The public consultation on the Issues & Options paper would invite anyone to provide their own evidence if they believed the HEDNA figures to be incorrect. This would allow further opportunity for both Councils to consider this issue.

Preparation of the plan was supported by a suite of technical studies, many of which had been undertaken by independent expert consultants. The technical studies which had informed the Issues and Options consultation included:

- Bus Accessibility Mapping.
- Climate Change Baseline Report.
- Climate Change Emissions Assessment.
- Equalities Impact Assessment.
- Habitat Regulations Assessment (HRA).
- Heritage and Settlement Sensitivity Assessment.

- Housing and Economic Development Needs Assessment (HEDNA).
- Strategic Flood Risk Assessment (SFRA) Part 1.
- Sustainability Appraisal (SA).
- Urban Capacity Study.

Officers had also undertaken technical work in respect of settlement connectivity, density, and accessibility to local services and facilities and this work was previously endorsed by the Joint Committee.

All the technical work was available to view on the website at www.southwarwickshire.org.uk/swlp. Further technical work would also be undertaken to support the next stage of plan preparation.

The three key pieces of technical evidence were the Housing and Economic Development Needs Assessment (HEDNA) which considered how many jobs and homes both Districts might need to 2050 as well as issues such as housing affordability, mix and tenure, the Climate Change Study and the Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA).

Given the importance of embedding climate change mitigation and adaptation principles throughout the Local Plan, consultants had been appointed to collect a series of climate change related evidence. At this Issues and Options stage, two reports had been prepared. Firstly, a baseline report which set the context and starting point for the two authorities and identified opportunities to embed climate change considerations into the Local Plan. In addition, an emissions assessment report explains how a carbon model had been developed to test and compare the emissions associated with the various options in the Issues and Options in relation to the different growth options and the potential locations for new settlements. The intention was for this model to be further developed as the Plan progresses and become more refined as the strategy evolved towards a preferred approach.

A Sustainability Appraisal/Strategic Environmental Assessment (SA/SEA) was an essential component in the production of the local plan, informing and influencing plan preparation to optimise its sustainable development performance. An SA/SEA was an iterative and ongoing process, and each stage of consultation would be accompanied by an SA/SEA report.

To help ensure that the Issues and Options document included the most suitable planning policies and development allocations, the SA/SEA identified, described and evaluated a number of different reasonable alternative policies and development locations. The SA/SEA had been included as Appendices to the report: Appendix 2(a) was a non-technical summary, 2(b) was the full SA/SEA report and 2(c) contained the Appendices to the SA/SEA report (combined as Appendix 2 to the report). The SA/SEA explored the following reasonable alternatives:

- Five Growth Options which provided details about where development should be distributed at a strategic scale across the South Warwickshire area.
- Seven New Settlement Locations for large-scale development of not less than 6,000 new homes and associated infrastructure.
- 32 Broad Locations which represented options for up to 2,000 homes located around the main settlements for medium scale development

and associated infrastructure in any one Broad Location.

- 22 Small Settlement locations for intermediate scale development for between 50-500 homes in any one location, typically associated with smaller settlements and villages.
- 88 Policy alternative options for shaping the relevant policies. Examples of subjects include climate change, tourism and health.

The appraisal process used a framework comprising 14 objectives assessed using the scoring matrix shown in Figure 4 at paragraph 1.26 in the report to evaluate how the different reasonable alternatives performed against sustainability objectives. It provided a way in which sustainability effects could be described, analysed and compared.

At this stage, it was difficult to identify stand out best performing options because they all performed best for different SA Objectives and rarely did one option emerge as a best overall option. Whilst the accompanying assessment matrices provided a helpful summary, they reflected a much broader assessment based on the 'lowest common denominator' and did not, at this stage, take into account any mitigation which could have the effect of minimising any adverse impacts.

Section 33A of the Planning and Compulsory Purchase Act required Local Planning Authorities "to engage constructively, actively and on an ongoing basis" in respect of their plan-making activities. The Duty to Co-operate requirement was expanded on in the National Planning Policy Framework (NPPF) and accompanying Planning Practice Guidance (PPG). The Duty to Co-operate was a legal test that needed to be satisfied as part of the local plan examination process in order for a local plan to be found sound and adopted. Unlike other tests of soundness which could be amended or remedied as part of the examination, the Duty to Co-operate was considered to be a pass/fail test.

In exercising this function, officers had commenced discussions with neighbouring planning authorities in respect of the SWLP to understand if there were any strategic cross-boundary matters that the SWLP needed to address. These conversations would continue as the SWLP progresses. Conversations would also need to be held with other Duty to Co-operate bodies, as appropriate.

Importantly, the Duty to Co-operate was not a duty to agree *per se*, but local planning authorities needed to demonstrate that they had engaged constructively in respect of progress to addressing strategic cross-boundary matters. In particular, joint working should help to determine where additional infrastructure was necessary, and whether development needed that could not be met wholly within a particular plan area could be met elsewhere.

Discussions had been ongoing with a number of organisations through the preparation of the SWLP. Most recently, officers had met with representatives from neighbouring authorities and the notes of these meetings were attached at Appendix 3 to the report.

- Birmingham

- Cherwell
- Cotswold
- Coventry
- Redditch and Bromsgrove
- Rugby
- Solihull
- West Northants
- Wychavon
- Worcestershire

In addition, officers were represented on the Coventry, Solihull and Warwickshire and Greater Birmingham and Black Country Duty to Co-operate Groups.

The biggest issues raised through Duty to Co-operate relate to dealing with the housing shortfalls from both Birmingham and Coventry.

The issue of any shortfalls arising from Coventry were considered in the accompanying report on the Housing and Economic Development Needs Assessment (HEDNA).

In respect of Birmingham and the Black Country, in addition to the shortfalls identified for the period to 2031, Birmingham City Council had also commenced work on its Local Plan Review to 2042 and had published an Issues and Options consultation that identified a shortfall in housing of 78,415 homes. Additional shortfalls might also be identified arising from the Black Country authorities. The SWLP would need to continue to work with these authorities to explore whether it was appropriate for South Warwickshire to contribute in helping address these shortfalls.

The I&O document was a long document; by its nature it had to be because it was seeking to deal with a large number of interconnected issues. The document was arranged over 13 chapters comprising over 100 questions, including an introduction, guidance on how to provide feedback and a glossary. The Issues and Options document was attached at Appendix 5 to the report. The main body of the document was as follows:

- Chapter 3 – set out both Councils’ proposed vision and the five overarching strategic objectives, including addressing climate change.
- Chapter 4 – set out different geographical/spatial approaches for meeting both Councils’ development needs to 2050, including infrastructure. This chapter also considered the use of brownfield land and urban capacity, the potential for existing settlements to expand, the potential for new settlements, and the role of the Green Belt.
- Chapter 5 – considered how both Councils might meet their economic development needs and achieve low carbon economic growth.
- Chapter 6 – set out how both Councils might meet their housing development needs, including issues such as affordability and tenure.
- Chapter 7 – considered options for achieving a climate resilient and net zero carbon South Warwickshire, including issues such as flood risk.
- Chapter 8 – set out approaches to achieving a well-designed South

Warwickshire.

- Chapter 9 – set out approaches to achieving a healthy South Warwickshire.
- Chapter 10 - set out approaches to achieving a well-connected South Warwickshire.
- Chapter 11 - set out approaches to achieving a biodiverse and environmentally resilient South Warwickshire.

The main body concluded with Chapter 12 that considered the relationship with the existing local plan policies and the approach to preparing Part 1 and Part 2 plans.

Another Call for Sites exercise would be held alongside the Issues and Options consultation to seek further suggestions for land. Again, the benefit of this approach was one of transparency. As part of the consultation, a summary and explanatory guide was being produced to help readers navigate through the document.

Animated videos were also being produced which would be a key feature of the social media campaign. A series of face-to-face 'drop-in' sessions would also be undertaken at locations across South Warwickshire throughout the consultation period.

The vision and strategic objectives for the SWLP were proposed as follows, having been amended following the earlier scoping consultation. In particular, a fifth objective relating to design had been added.

The vision was to meet South Warwickshire's sustainable development needs to 2050, while responding to the climate emergency. Where appropriate and agreed, this could include unmet need from neighbouring authorities. The plan would provide homes and jobs, boost and diversify the local economy, and provide appropriate infrastructure, in suitable locations, at the right time. Five overarching principles would determine how this development was delivered.

- A climate resilient and Net Zero Carbon South Warwickshire – adapting to the effects of climate change and mitigating against its causes, while avoiding any further damage that might arise from development.
- A well-designed and beautiful South Warwickshire – creating spaces where people wanted to be, which respected and reflected the existing beauty and heritage of the area.
- A healthy, safe and inclusive South Warwickshire – enabling everyone to enjoy safe and healthy lifestyles with a good quality of life.
- A well-connected South Warwickshire – ensuring that development was physically and digitally connected, provided in accessible locations, and promoted active travel.
- A biodiverse and environmentally resilient South Warwickshire – strengthening green and blue infrastructure and achieving a net increase in biodiversity across South Warwickshire

Whilst climate change sat at the core of the SWLP, the starting point of the plan had been green and blue infrastructure and the desire to tie the plan

into the local nature recovery agenda. Officers had prepared a Topic Paper (attached at Appendix 4 to the report) setting out how the strategy for distributing economic and housing growth had then emerged, as presented in five spatial options. Figure 5, set out in paragraph 1.41 to the report, was a 'route map' to those five options.

The five growth options represented alternative scenarios for distributing, at a strategic scale, development across the South Warwickshire area. At this early stage, they remained conceptual and further detailed technical work was required to assess particular locations.

In formulating the growth options, consideration had been given to various locations across South Warwickshire, including 32 'main settlements' as well as 22 smaller settlements. In addition, consideration had also been given to seven potential broad locations for large scale new settlements.

At this early stage, the above work included Green Belt locations. If, as a result of this consultation, there was a desire to further explore such locations, a Green Belt Study would need to be undertaken to inform which locations, if any, the Green Belt would need to be reviewed. That study would then confirm whether any potential Green Belt locations should be released. The study could also make recommendations in respect of 'greening' the Green Belt (to improve its environmental quality) and/or extending the Green Belt, including to potentially compensate for any Green Belt loss.

Also, at the forefront of the Issues and Options consultation was the need to address the concerns relating to the provision of infrastructure. It was to this end that the Place Board was established, with a number of infrastructure groups, to act as a forum for stakeholders and infrastructure providers to engage with the SWLP. In preparing the Issues and Options consultation, officers had met with infrastructure providers to discuss how their plans and strategies might impact on or be impacted by the proposals in the SWLP. These discussions were ongoing and would need to be ramped up as the SWLP progressed.

The Issues and Options consultation also posed questions about how to fund infrastructure through the use of the Community Infrastructure Levy (CIL) charge.

Notwithstanding the fact that a considerable amount of work had gone into preparing the document, it was likely that minor changes would need to be made as the report was prepared for public consultation. For this reason, recommendation (5) above asked that the respective Portfolio Holders for Place (Stratford-on-Avon District Council) and Planning & Place (Warwick District Council), in consultation with the respective Head of Development and Head of Place, Arts & Economy, be authorised to make any final editorial amendments prior to commencement of the consultation.

There were two substantive recommendations in the report: the first was in respect of the accompanying SA/SEA and the second was in respect of the Issues and Options consultation document itself.

It should have been noted, substantial changes to the SA/SEA could have a bearing on the I&O document and whether any further work was required in

advance of consultation.

There were potentially two options available to Members. The first was to not support the recommendations with a view to not proceeding with the consultation and the second was to seek changes to the document beyond the scope of any editorial amendments.

The first alternative option would indicate that there was no desire to prepare a joint Local Plan for South Warwickshire. The second would significantly delay the consultation, which, owing to purdah, would then take place in Summer 2023.

Both options were not recommended. The Issues and Options document was very much an ideas paper where questions were asked regarding how to collectively deal with the challenges facing South Warwickshire. Publishing and consulting now put the two Councils in control of the planning agenda and demonstrated that the Councils were trying to address the difficult challenges that we all faced rather than pretending that those challenges didn't exist or 'kicking the can down the road'.

The Overview & Scrutiny Committee commented that the way that the reports were published (as one block, rather than as separate documents) created practical problems for Members in reviewing and scrutinising the content. Whilst recognising that the report was a technical topic, it was requested that the report should be better divided and structured to make it easier to manage.

Concerns were raised about the robustness of the process of the Sustainability Assessment and therefore the conclusions drawn from this. The Overview & Scrutiny Committee looked forward to feedback from the consultants in this regard.

The Overview & Scrutiny Committee recommended that wording, process and navigation for the consultation was tested using a broad range of people to ensure that the type of responses are what would be expected.

The Joint Cabinet was required to vote on this because it formed a recommendation to it.

Councillor Richard Clarke – Beaudesert & Henley in Arden Joint Parish Council - addressed the Committee. The Parish Council felt that a six-week consultation period was inadequate and so requested this period be extended in order to allow Parish and Town Councils more time for proper consultation on the numerous issues involved, particularly given the substantial nature of the documents.

In the absence of the Chair of the SDC Overview & Scrutiny Committee, Councillor Pemberton stated that the Committee were comfortable with the recommendations and that it accepted that the nature of the documents was dense.

In response to the concerns raised Councillor Clarke, the Head of Place, Arts & Economy advised that the consultation period could be extended. The Chief Executive advised that the consultation was not affected by the Pre-Election

period; during that period Councillors would just be receiving the comments from the consultation.

The Leader clarified that the recommendation from the Overview & Scrutiny Committee was not to hold a focus group, nor was it a proposal to delay, simply a pilot to make sure the consultation worked. Councillor Milton also clarified that it was more about the methodology, not the substance, and was designed to find a format that was more accessible to the public.

The Head of Place, Arts & Economy stated that the document in Appendix 5 to the report was currently being produced in a better designed format and so would be better presented. Alongside that, a user guide was in development which officers would send round to some Councillors in order to get feedback and reflect with the relevant Portfolio Holders to see if any changes were necessary.

It was proposed by Councillor Hales and seconded by Councillor Pemberton that the recommendation from the Overview & Scrutiny Committee be accepted.

The Leader suggested that extending the consultation to eight weeks would be acceptable, and officers confirmed such an extension would be reasonable if the Committee were minded. It was proposed by Councillor Day and seconded by Councillor Pemberton that the consultation period be extended to eight weeks.

Councillor Tracey proposed the report as laid out, subject to the recommendation from the Overview & Scrutiny Committee, and that an extension of the consultation period to eight weeks was appropriate.

Resolved that

- (1) the Housing & Economic Development Needs Assessment (HEDNA) (attached as Appendices 1 (a) and (b) to the report) as providing a basis for continuing work on the South Warwickshire Local Plan, be noted;
- (2) the findings of the Sustainability Appraisal/Strategic Environmental Assessment (attached at Appendices 2 (a), (b) and (c) to the report) that accompanies and informs the South Warwickshire Local Plan Issues and Options consultation, be noted;
- (3) the notes from the Duty to Co-operate meetings (attached at Appendix 3 to the report) as evidence of the ongoing, positive and proactive discussions with neighbouring Authorities, be noted;
- (4) the Evolving Spatial Growth Options' Topic Paper attached at Appendix 4 to the report, be noted and the South Warwickshire Local Plan Issues and Options document (attached at Appendix 5 to the report) for consultation, be endorsed, commencing in January

2023;

- (5) the respective Portfolio Holders for Place (Stratford-on-Avon District Council) and Planning & Place (Warwick District Council), in consultation with the respective Head of Development and Head of Place, Arts & Economy, be authorised to make any final editorial amendments to Appendix 5 to the report, prior to commencement of the consultation;
- (6) wording, process and navigation for the consultation is tested using a broad range of people to ensure that the type of responses are what would be expected; and
- (7) an eight-week consultation period was appropriate.

(The Portfolio Holders for this item were Councillors Cooke & Pemberton).

12. **Urgent Business**

There were no urgent business items.

(The meeting ended at 5.00pm)

CHAIRMAN
23 November 2023

Subject: Revisions to the timetable for preparing the South Warwickshire Local Plan

Lead Officers: John Careford - Head of Development at Stratford-on-Avon (01789 260801), Philip Clarke, Head of Place, Arts & Economy at Warwick District Councils (01926 456518)

Portfolio Holders: Councillor N Rock, Councillor C King

Summary

The purpose of this report is twofold; firstly to note the work that has been undertaken during 2023 on the South Warwickshire Local Plan (SWLP) including the publication of the Consultation Statement following the Issues & Options public consultation earlier in 2023, and secondly to approve amendments to the currently published timetable for preparing the SWLP.

Recommendations:

- (1) That Members note the work that has been undertaken on the South Warwickshire Local Plan since the end of the public consultation on the Issues & Options paper in March 2023, and in particular the publication of the Consultation Statement.
 - (2) That Members approve the revised timetable for preparing the South Warwickshire Local Plan attached as appendix 2.
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1 Background/Information

Recommendation (1).

- 1.1 As members will be aware, work has continued throughout 2023 on the SWLP. The second public consultation on the Plan, the "Issues and Options" consultation, took place between 9 January to 6 March 2023. The consultation document considered many issues raised at earlier stages of the plan making process and presented various options to overcoming them. In total there were 107 questions covering various topics. A total of 1,175 people/organisations responded to the consultation.
- 1.2 Alongside the Issues and Options Consultation, a second Call for Sites was conducted. This call for sites allowed landowners and promoters to submit land that they would like to be considered for inclusion in the local plan. It also allowed those that had previously submitted a site, to submit amendments to either the boundary, or proposed use. 187 new submissions (or significant amendments) were received as part of the call for sites, bringing the total number of site submissions to 737.

- 1.3 Since the close of the public consultation, officers from both Councils have been working on a number of work streams in respect of the SWLP. These have included:-
- a) Summarising and undertaking an initial analysis of the many consultation responses received during the consultation to enable these to be published.
 - b) Checking and mapping all of the additional sites submitted as part of the second "call for sites" exercise.
 - c) Progressing various technical evidence to support the SWLP.
- 1.4 In respect of a), a Consultation Statement on the Issues & Options consultation has now been published on the [SWLP website](#), and is available to view [here](#).
- 1.5 In addition to the above work, active and regular engagement with councillors has continued. Continuing a pattern since the inception of the SWLP in 2020, following the local elections in May the leaders of Stratford-on-Avon and Warwick District Councils, together with the portfolio holders with responsibility for the SWLP, meet on a regular basis to review the progress of the SWLP. Likewise, the SWLP Advisory Group, made up of five councillors from each council (with the portfolio holders attending as observers), has continued to meet, and has done so five occasions since May. Officers have used these meetings to brief new councillors on the work on the SWLP and to share, "sense check" and seek advice on current workstreams. All the matters that are being brought before this Joint Committee today have been reviewed by the Advisory Group prior to this report being prepared.

Recommendation (2)

- 1.6 There are a number of stages to the preparation of Local Plan documents. Publishing a timetable setting out when these various stages are likely to occur helps ensure that residents and stakeholders can more fully engage in the process.
- 1.7 National Planning Practice Guidance states that Local Planning Authorities must publicise and keep up-to-date their timetable for producing their local plan and that this information should be contained within a Local Development Scheme (LDS) prepared by each Council.
- 1.8 The current timetable was agreed at the Joint Committee on 10th March 2022 and the timetable was subsequently incorporated into each council's LDS. The current timetable and a flow chart showing the stages to adoption are included in **Appendix 1**.
- 1.9 It is important for a Local Plan timetable to be kept under review and adjusted where necessary. The current timetable has now been reviewed and requires updating. It had previously identified a Preferred Options (Regulation 19) consultation between July and October this year. Clearly this has not taken place. There are a number of reasons for this.
- A delay to the publication of 2021 Census data resulting in a delay to the production of the Coventry & Warwickshire Housing and Economic Development Needs Assessment (C&W HEDNA), a key piece of evidence required to support the Plan
 - Technical challenges with working across two organisations, for example compatibility of software, procurement of software and data sharing
 - Staff departures and temporary vacancies

- Changes to the administrations of both councils and the need to ensure new administrations and members of all parties understand progress to date on the plan and have an opportunity to input in the process, e.g., through the SWLP Advisory Group
 - Changes to the operational structure of the delivery of the SWLP workstream
 - The uncertainty of potential changes to national planning policy and to the planning system including the process for producing plans. This matter is discussed in more detail in section 2 below.
- 1.10 Clearly, the inability to undertake a Regulation 19 consultation at the time previously indicated has a knock-on effect on the remainder of the timetable and thus an updated timetable is required.
- 1.11 In discussions with the Advisory Group, a proposed new timetable is now recommended. This is set out in **Appendix 2**. This would see the following key milestones being achieved.
- a) Approval of a "Preferred Options" SWLP in October 2024, with a public consultation following this.
 - b) Approval of a "publication" version of the SWLP (indicating the document which is likely to be submitted to the Secretary of State) in September 2025 with a period of further public engagement after this.
 - c) Submission of the SWLP in the summer of 2026 with a likely Public Examination toward the end of 2026.
 - d) Adoption of the SWLP by the end of 2027 following receipt of an Inspector's report after the Public Examination and a further period of consultation on the Inspector's Proposed Modifications to the Plan.
- 1.12 In approving this timetable, councillors should be aware that following submission, the Councils are very much in the hands of the Planning Inspectorate in terms of the dates and length of the Public Examination and the time required by the Inspector to prepare their written report. The proposed dates for these stages are on the basis of the best available evidence and are based on a best-case scenario. They will be kept under review.
- 1.13 It should be noted that in proposing this new timetable, officers have had regard to a number of factors. Some of these relate to matters and risks that are national rather than local, and are considered in more detail in section 2 (alternative options) below. However, some are more local. These include:-
- Levels of staffing that are available across the two councils to support the work on the SWLP. This has to be balanced against other competing policy work that the two councils are undertaking.
 - The complexities of working across two authorities. Whilst producing a Plan across two authorities brings some efficiencies, there are also challenges around matters such as procurement, data sharing and compatibility and access to systems. Furthermore, formal decisions at key stages of the Plan need to be taken by the Joint Committee and also each Council, thus potentially adding more time into the process.

2 Alternative Options available to the Joint Cabinet/Executive Committee

- 2.1 With regard to recommendation 1, there are no alternative options. This recommendation is simply to note work that has already been undertaken and has been published on the SWLP website.
- 2.2 With regard to recommendation 2, there are several alternative options available. In order to understand these, it is important to appreciate current – and anticipated – changes to national planning legislation, policy and guidance.
- The Government has been preparing legislation which will change the processes by which Local Plans are prepared. This has, as of 26th October 2023, now received Royal Assent as the **Levelling Up and Regeneration Act (LURA)**. This Act seeks (amongst other matters) to make plans simpler and faster to prepare. It simplifies the processes that Local Plans have previously had to follow. For its requirements to be brought into effect, there will now need to be a number of further changes including new regulations to be laid before Parliament. These have yet to be prepared and it is understood that it will not be possible to formally commence preparing any Local Plan under the new legislation before the autumn of 2024. A consultation took place on these recently.
 - The government has also consulted on changes to the **National Planning Policy Framework (NPPF)**. Although this consultation was undertaken between December 2022 and February 2023 (and both Councils made formal representations on it), there has been no formal response to this by the Government. At the time of the consultation, government indicated that some changes would be able to be “implemented immediately” (i.e. before the LURA had completed all of its Parliamentary stages) whilst others would require changes to primary legislation. In September, one change was made the NPPF (specifically in relation to onshore wind developments) however government indicated that its formal response to the other wider proposals in the consultation would be published later this autumn. At the time of preparing this report, this has not been done.
 - The **“Standard Method” for assessing local housing need** is set by Government and is important in helping to determine levels of housing growth for which Local Plans should provide. The Standard Method currently continues to use the 2014-based household projections data. However, once the implications of the 2021 Census have been fully considered, with a planned publication by the Office for National Statistics in 2024, the Government is expected to review the approach to assessing housing need.
- 2.3 Added to this, all members will be aware that there will be a general election either during 2024 or by January 2025 at the very latest. Planning and plan-making are likely to be significant election issues and are likely to form manifesto pledges by the main political parties. If there is a change in Government, this may have impacts on the planning system, for example: the implementation of changes to the planning system may be paused to enable politicians to further reflect on them or even a new approach might be proposed.
- 2.4 Against all these points, it should be made clear that at no time has the current government ever proposed that local authorities should pause their plan-making work. Indeed, when introducing significant changes to the planning system, successive governments have always allowed a period of transition for local authorities that are in the process of preparing Plans to get their plans

adopted under the “old” procedures. In the case of the LURA, the government is currently requiring that Local Plans must be submitted by June 2025 in order to be allowed to proceed under the “old” procedures.

- 2.5 The alternative options are therefore as follows.
- 2.6 Option 1: the councils could continue to work to a timetable that enables submission of the SWLP by June 2025. Under this theoretical timetable, the Plan could be adopted by December 2026. Although initially an attractive option, this is not being recommended. Officers have concluded that it would be extremely challenging to prepare the preferred options in the time frame set out and simply unrealistic to subsequently undertake analysis of representations in the time frames that this timetable would require. The Preferred Options stage of the SWLP is when the locations of growth are identified, it is at this stage that the Plan becomes more tangible to communities. We would anticipate more significant numbers of representations being received at this time, thus potentially needing more time for analysis. It is also likely to generate more interest from all councillors across the two councils than did the Issues & Options stage. In short, this is an unrealistic timetable which would not allow members or officers the time to properly consider important development options or consider the views of local communities and stakeholders.
- 2.7 Option 2: the councils would pause or cease work on the SWLP until there is further clarity around changes to the plan-making system and NPPF, then prepare a Plan under the new system. As noted above, it is the intention that regulations, policy and guidance will be in place by Autumn 2024. Therefore, it would not be possible to commence work on a new style plan ahead of then.
- 2.8 The new style plans would have a 30-month timeframe, from formally commencing work on the Plan to adoption (with the addition of a 4-month scoping and early participation period in advance). Under this timetable, we could commence pre-preparation of the Plan in June/July 2024 and adopt by March 2027. (It should be noted that this is subject to regulations and guidance which have yet to be published – and may be delayed. Until we see these, we will not be able to properly prepare to commence any review under this new system.) This timeline is significantly shorter than the current average time for preparing and adopting a plan of 7 years. However, under these new procedures there are less opportunities for public consultation (two formal public consultation periods) and most likely less time to reflect on consultations and produce evidence to support a Plan.
- 2.9 Furthermore, it should be noted that the timeline suggested above is optimistic for several reasons. In order to prevent overburdening the Planning Inspectorate, who are responsible for the examination of Plans, it is expected that local authorities will only be able to submit local plans in waves and we may have limited say as to when we can progress a Plan. This option therefore represents the earliest timetable for producing a new style plan, as the start date for commencement is likely to be somewhat outside of our control.
- 2.10 There is further uncertainty relating to whether the 30th June 2025 deadline for submissions of current plans will be fixed, and whether the same process will be followed if there is a change in Government at the General Election.
- 2.11 For the reasons above, officers do not consider it sensible to either pause work or abandon the SWLP, awaiting the introduction of the new system. For these reasons, this option is not supported.

- 2.12 It should be noted that whilst officers are recommending a timetable which is based on implementing the old plan-making system, we may need to change to the system when that is introduced by government. Should this be the case, this would require further modifications to the plan-making timetable, and this would be brought before the Joint Committee at that time. Officers are confident that any work (evidence gathering, consultations, calls for sites, etc) carried out on the SWLP to date would not be wasted in the event that the Councils are required to move to the new plan-making procedures.

3 Ward Councillor and Portfolio Holder Members' Comments

- 3.1 The two portfolio holders with responsibility for the SWLP (Cllr Rock for SDC and Cllr King for WDC) have been fully involved throughout this process and are supportive of the recommendations. The SWLP Member Advisory Group which includes a number of Ward Councillors meets monthly and is supportive of the proposed approach.

4 Implications of the proposal

4.1 Legal/Human Rights Implications

- 4.1.1 The South Warwickshire Local Plan is a Development Plan Document and as such, when adopted, will form part of the statutory Development Plan for both Districts. As such, its preparation has to comply with a number of statutory requirements including public consultation, regard to national policy, the achievement of sustainable development and fulfilment of the Duty to Co-operate. As a Development Plan document, it will be subject to independent scrutiny through an examination in public to ensure that it is 'sound' (fit for purpose) and satisfies all necessary legal requirements. This includes ensuring that residents and stakeholders can engage meaningfully in the process.

4.2 Financial

- 4.2.1 The estimated cost of producing and getting the South Warwickshire Local Plan in place is £2.2m, excluding staff costs. This cost is to be shared equally between Stratford and Warwick. Stratford has £1.3m in place within the Core Strategy Funding Reserve to fund its share. Warwick currently has £0.5m allocated, including £0.3m as part of the 2022/23 Budget. Further funding from Warwick will need to be agreed as part of future Budgets.

4.3 Environmental/Climate Change Implications

- 4.3.1 Tackling Climate change and responding to the Climate Emergencies that both Councils have declared is at the heart of the South Warwickshire Local Plan. In order to maximise opportunities for climate change adaptation and mitigation, and to meet net carbon zero targets, it is critical that the evolving Plan is informed by assessments on its impact on climate change. As such, consultants have been appointed to prepare these assessments and ensure that all aspects of climate change are considered as part of the SWLP. The Programme Director for Climate Change is directly involved in this work.

4.4 Council Plan

- 4.4.1 As a Development Plan Document, the South Warwickshire Local Plan will help Stratford-on-Avon District Council achieve all five objectives of the Council Plan. Arguably, the Local Plan is the most important policy document that the Council prepares as it represents the spatial expression of the Council's vision and ambitions.
- 4.4.2 In respect of the Warwick Districts emerging Corporate Strategy, preparation of the SWLP will help the Council achieve its stated objectives of:-

- prioritising housing development on brownfield sites.
- minimizing use of greenfield sites where possible.
- promoting new developments using 20-minute neighbourhood/settlement designs.
- ensuring convenient access to services and shop.
- protecting existing community identities, and
- ensuring the provision of appropriate infrastructure is available to support new and existing development.

4.5 ***Analysis of the effects on Equality***

4.5.1 An Equalities Impact Assessment is required and will be undertaken at various stages of the SWLP to ensure that strategies and policies contribute towards eliminating discrimination, promoting equality and fostering good relations.

4.6 ***Data Protection***

4.6.1 Both Councils will ensure that all data protection requirements are adhered to. This will particularly be the case in respect of personal or commercially sensitive information that is provided to the Council through public consultations.

5 Risk Assessment

5.1.1 There are many risks associated with undertaking a Local Plan review. These are financial, reputational and, sometimes, legal. All local authorities are required to prepare Local Plans and both Councils are experienced in managing these risks. All stages of the Local Plan are subject to Councillor advice, scrutiny and approval and so there is plenty of opportunity for Councillors to have proper oversight of the technical work and procedures that are being undertaken.

5.1.2 There are additional risks in undertaking a joint Local Plan review with another local authority as is being undertaken here. These are largely political and relate to the willingness of both Councils to continue to work together to approve the document.

5.1.3 Ultimately, as local planning authorities, both Stratford-on-Avon and Warwick District Councils are obliged to prepare and keep up to date a Development Plan for their area. The SDC Core Strategy was adopted in 2016 and the WDC Local Plan in 2017. Both plans are now more than five years old, and in accordance with government advice it is prudent to start to consider now planning for the period post 2031/2029 when those plans expire.

5.1.4 It is also recognised that there are risks associated with preparing a Local Plan, the final adoption of which will take place after the 2027 local elections. It is only this final decision which would be made by the new Councils at that time. All other decisions would be made by the current administrations of both Councils and by the current Joint Committee.

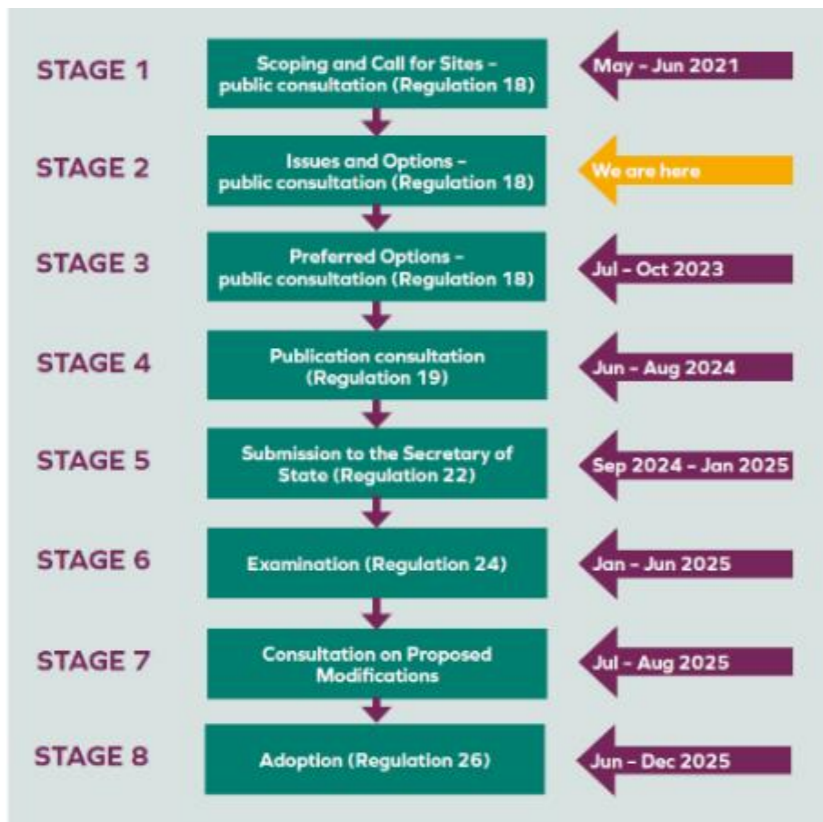
REPORT INFORMATION SHEET

Committee/Date	23 November 2023	
Item No/Title of report	Revisions to the timetable for preparing the South Warwickshire Local Plan	
Consultations undertaken		
Consultee	✓	Details / Date of consultation / comments received
Ward Members	✓	Consultation with member Advisory Group.
Portfolio Holder WDC & SDC <i>*Required</i>	✓	Councillor Nigel Rock (Stratford-on-Avon District Council) and Councillor Chris King (Warwick District Council).
Financial Services * <i>*Required</i>	✓	Richard Burrell, Stratford-On-Avon District Council Andrew Rollins, Warwick District Council
Legal Services * <i>*Required</i>	✓	Ross Chambers, Joint Legal Services Manager, Stratford-On-Avon and Warwick District Councils
Other Services		
Chief Executive	✓	David Buckland, Stratford-On-Avon District Council Chris Elliott, Warwick District Council
Head of Service		n/a
Section 151 Officer	✓	Richard Burrell, Stratford-On-Avon District Council Andrew Rollins, Warwick District Council
Monitoring Officer	✓	Marcia Eccelston, Stratford-On-Avon District Council Graham Leach, Warwick District Council
Other organisations		
Final decision by this Committee or recommendation to another committee/Council?		Final decision
Does this report contain exempt information/Confidential? If so, under which paragraph(s)?		No
Does this report relate to a key decision (referred to in the Cabinet Forward Plan)		Yes, Forward Plan item

Appendix 1: Current SWLP timetable

Stage	2022												2023												2024												2025											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
1. Scoping & Call for Sites																																																
2. Issues & Options									PC	PC																																						
3. Preferred Options																																																
4. Publication																																																
5. Submission																																																
6. Examination																																																
7. Main Modifications																																																
8. Adoption																																																

Key	
PC	Minimum 6 weeks consultation within this period
PU	Purdah
EX	Examination Hearings
IR	Inspector's Report



Current timetable as shown on the South Warwickshire Local Plan website.
 (Note: we are currently in between stages 2 and 3.)

Appendix 2: Proposed revised timetable.

Stage	2023			2024												2025												
	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	
3. Preferred Options													P	PC	PC	PC												
4. Publication (Reg 19)																RA	RA	RA	RA	RA					P	PC	PC	PC
5. Submission																												
6. Examination																												
7. Proposed Modifications																												
8. Adoption																												

Stage	2026												2027															
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D				
3. Preferred Options																												
4. Publication (Reg 19)																												
5. Submission	RA	RA	RA	RA		P	P																					
6. Examination																												
7. Proposed Modifications																												
8. Adoption																												