

<b>Report to</b>	Council
<b>Date of meeting</b>	6 <sup>th</sup> December 2022
<b>Lead Member / Officer</b>	Cyng/Cllr Win Mullen-James – Lead Member for Local Development and Planning
<b>Report author</b>	Lara Griffiths – Senior Planning Officer
<b>Title</b>	Revised Delivery Agreement for the replacement Local Development Plan

## **1. What is the report about?**

1.1. The report sets out the revised Delivery Agreement for the replacement Local Development Plan (LDP) 2018 – 2033. The Delivery Agreement (DA) sets out the timetable for progressing the replacement LDP to adoption and outlines whom, how and when the Council will consult on the various stages of the LDP preparation. A revised DA is required due to delays in the agreed timetable brought about by the Covid – 19 pandemic; delays in the publication of flood risk policy and guidance and, local elections. A revised DA must be approved by Cabinet and Council then formally submitted to Welsh Government for their agreement. The draft revised DA is attached to this report at Appendix 1.

## **2. What is the reason for making this report?**

2.1. Approval is required for the replacement LDP Revised Delivery Agreement. Strategic Planning Group and Cabinet have recommended that the revised DA be brought to Council for approval and submission to Welsh Government.

### **3. What are the Recommendations?**

- 3.1. That Council confirms that it has read, understood and taken account of the Well-being Impact Assessment (Appendix 2) as part of its consideration.
- 3.2. That Council approve the revised Delivery Agreement (DA) at Appendix 1 and subsequent submission to Welsh Government.
- 3.3. That Council authorises the Lead Member for Local Development and Planning in consultation with the Head of Planning, Public Protection and Countryside Services to agree any future amendments required to the Denbighshire Replacement Local Development Plan Delivery Agreement.

### **4. Report details**

- 4.1. A Delivery Agreement (DA) that has been approved by both Council and Welsh Government is required when preparing a Local Development Plan. The DA sets out the timetable for the preparation of the LDP and the consultation arrangements. The current DA was approved in May 2018. The revised Delivery Agreement is a key stage in progressing the replacement LDP and no further formal consultation stages can be delivered until the revised DA is approved.
- 4.2. Work on the replacement LDP was progressing well and in-line with the approved DA until the Covid-19 pandemic struck in early 2020. Delays have been caused to the original timetable due to a number of factors including:
  - Members of the LDP team being redeployed to assist with the pandemic response
  - Delays in the publication of the new TAN policy and guidance on flood risk
  - Additional work on Strategic Flood Consequence Assessment
  - Additional work on Town Centre Assessments
  - Impact of Phosphates on the LDP.
  - Local Government Elections
- 4.3. The Community Involvement Scheme sets out consultation arrangements for the various stages of the LDP preparation. This has also been slightly amended

to reflect the development of the County Consultation portal. The updated City, Town and Community Council Charter is also referenced.

## **5. How does the decision contribute to the Corporate Priorities?**

5.1. The Local Development Plan makes a significant contribution towards the implementation of the following Council priorities as set out in the Corporate Plan 2022 - 2027:

- Theme 1: A Denbighshire of quality housing that meets people's needs
- Theme 2: A prosperous Denbighshire
- Theme 3: A healthier and happier, caring Denbighshire
- Theme 4: A learning and growing Denbighshire
- Theme 5: A better connected Denbighshire
- Theme 6: A greener Denbighshire
- Theme 7: A fairer, safe, and more equal Denbighshire
- Theme 8: A Denbighshire of vibrant culture and thriving Welsh language
- Theme 9: A well-run, high performing council

5.2. The replacement LDP will contain policies and land allocations that should make a positive contribution to the Council becoming Net Carbon Zero and Ecologically Positive by 2030.

## **6. What will it cost and how will it affect other services?**

6.1. Approval of the Delivery Agreement (DA) will not incur any additional costs or impact on other services.

## **7. What are the main conclusions of the Well-being Impact Assessment?**

7.1. The conclusions are broadly neutral or positive. The Delivery Agreement sets out a timetable for engagement and consultation and also how this is to take place. Many of the outcomes will be dependent upon the nature of the material consulted upon but the DA aims to ensure that everyone can have a say and that their comments will be responded to. The full assessment can be found at Appendix 2

## **8. What consultations have been carried out with Scrutiny and others?**

8.1. The revised DA was reported to the Strategic Planning Group on 19 October 2022 where it was recommended to be progressed to Cabinet and Council for approval. Cabinet discussed, and recommended the revised DA be progressed to Council for approval on 22<sup>nd</sup> November 2022.

## **9. Chief Finance Officer Statement**

9.1 The service have confirmed that any additional resources can be maintained within existing resources. The recommendations are supported.

## **10. What risks are there and is there anything we can do to reduce them?**

10.1. If the revised Delivery Agreement is not approved by Council then there will be a significant delay in progress on the replacement LDP. An up to date and approved DA will be required before any further statutory consultation stages can take place. The Council will become increasingly reliant on national, rather than local policy in determining planning applications which will erode local decision making.

## **11. Power to make the decision**

11.1 Planning and Compulsory Purchase Act 2004

Planning (Wales) Act 2015