

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**



**CORPORATE LEADERSHIP TEAM'S**  
**REPORT TO CABINET**

**DATE: 15 October 2024**

**Report Title: Borough Local Plan Examination Costs and Funding**

**Submitted by: Deputy Chief Executive**

**Portfolios: Strategic Planning**

**Ward(s) affected: All**

<b><u>Purpose of the Report</u></b>	<b><u>Key Decision</u></b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
To consider a report on the funding of the Local Plan Examination Process.	
<b><u>Recommendation</u></b>	
That Cabinet:	
1. Approves the allocation of up to £200,000 from the Budget Support Fund to fund the Local Plan programme and examination.	
<b><u>Reasons</u></b>	
To ensure that the process of preparing and adopting the Borough Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).	

**1. Background**

**1.1** The Borough Council has been preparing its Local Plan since 2021. At Full Council, on the 24 July 2024, approval was given to consult on the Final Draft Local Plan (at Regulation 19 stage). The consultation for 8 weeks, started on the 12 August 2024 and ended on the 7 October 2024. Alongside this, Council agreed that subject to the outcome of consultation, and if no matters are raised that materially impact upon the Plan strategy, to authorise the Deputy Chief Executive in consultation with the Strategic Planning Portfolio Holder to submit the Final Draft Newcastle-under-Lyme Borough Local Plan 2040 and supporting documents to the Secretary of State by the end of 2024 for formal examination to then take place on the Local Plan. Officers are currently processing representations that have been received on the Final Draft Local Plan to determine if any issues have been raised that materially impact upon the Plan Strategy.

## 2. Issues

**2.1** As part of the Plan making process, it is very likely that the Local Plan will be subject to scrutiny through a public examination which is held in public. Regulations set out the detailed requirements for examinations and the Planning Inspectorate also publish a procedural guide for Local Plan examinations. Council's bear the cost for the examination process and this is likely to include the following: -

Item	Comments
Local Plan Programme Officer	The appointment of a programme officer to ensure the smooth running of the examination and provide a point of contact for the Inspector(s). Appointment of a Programme Officer is expected prior to submission of the Local Plan for examination. The Programme Officer is hosted by the Council and arrangements will be made in terms of appointment, accommodation and IT equipment.
Inspector Fees	To pay the Inspector(s) costs during the examination, once appointed by the Planning Inspectorate. This includes hearing days and the time taken to prepare the subsequent report to the Council on their findings and recommendations. The Town and Country Planning (Costs of Independent Examinations) (Standard Daily Amount) (England) Regulations 2006 notes that the standard daily rate for an inspector is £993. On top of this, there are expenses costs such as travel costs, subsistence etc.
Hosting of the examination at a suitable venue	The Council will be responsible for identifying a venue for the examination. Where possible a venue under the Council's ownership will be used. The appropriateness of the venue will need to be confirmed by the appointed Inspector(s). The expectation is that this would be at nil cost but there may be refreshment costs here also.
Printing of material	Councils are required to notify interested parties at various stages of the examination process. Where possible, electronic notifications will be utilised, but costs will be incurred through the printing of materials where these are legitimately required. Material may also need to be provided to the Inspector which incorporates a printing cost.
Legal and consultancy support	At the examination, the Council will require legal support and / or use of consultants where specific evidence needs to be presented.

**2.2** It is anticipated that the following costs would be incurred during the examination process: -

- Local Plan Programme Officer - £15,000
- Inspector Fees - £100,000
- Examination Venue - £1,000
- Printing of Material - £1,500
- Legal and Consultancy Support - £50,000
- Total - £167,500

- 2.3** The costs outlined in paragraph 2.2 above are an estimation and reflect consideration of costs incurred by other local authorities who have recently progressed their respective local plans through examination. During the examination, it may be that some of the costs shown in paragraph 2.2 do not materialise in the way outlined. Much will depend for example on the length of the examination and if further work is required of the Council during the examination process. The figures outlined above do not include officer time. A more accurate assessment of likely actual costs will emerge once an Inspector(s) is appointed and the focus of the examination - in terms of the extent of topics and number of hearing sessions - becomes clearer.
- 2.4** In terms of the costs outline in paragraph 2.2. Subject to submission of the Local Plan by the end of the calendar year, there is an element of spend on the public examination of the Local Plan which is anticipated to take place in the next financial year (2025/2026). The timetable for the Local Plan is a matter for the appointed inspectors but it is anticipated that the Local Plan examination hearing sessions, where a significant element of cost is incurred, will take place from April 2025 onwards. However, costs will start to be incurred prior to submission of the Local Plan for examination, for example, through the appointment of a Programme Officer and inspectorate costs in an initial review of the Local Plan etc.
- 2.5** The previous Conservative Government promoted a Planning Skills Delivery Fund aimed at supporting local planning authority planning services. The Borough Council successfully bid into this fund and was allocated £100,000 towards costs associated with the local plan and the development of design codes. This funding allocation was for 24/25 and recently the Council has received confirmation of this allocation being paid from the Ministry of Housing, Communities and Local Government.

### **3. Recommendation**

- 3.1** Approve the allocation of up to £200,000 from the Budget Support Fund to fund the Local Plan programme and examination.

### **4. Reasons**

- 4.1** To ensure that the process of preparing and adopting the Borough Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

### **5. Options Considered**

- 5.1** The Council has previously expressed its clear intention through the approval of a Local Development Scheme (Local Plan Timetable) to adopt a new Local Plan providing a comprehensive set of up-to date planning policies for the Borough. Furthermore, the decision of Council, on the 24 July set out a

potential programme for submission of the Local Plan at the end of the calendar year. This decision has a cost implication.



## **6. Legal and Statutory Implications**

- 6.1** In accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'), the Council has a statutory duty to prepare planning policies and maintain an up-to-date development plan.
- 6.2** Secondary legislation relating to the preparation of development plan documents is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.

## **7. Equality Impact Assessment**

- 7.1** The Local Plan is supported by an Equality Impact Assessment as part of its Sustainability Appraisal. This will consider how development proposed and planning policies impact on different groups in the community.

## **8. Financial and Resource Implications**

- 8.1** The preparation of the Local Plan to date has been resourced through the Planning Policy budget and full use of the Local Plan reserve. The examination of the Local Plan will incur additional costs which is the topic of this report.

## **9. Major Risks & Mitigation**

- 9.1** Changes in National Policy, Legislation and Guidance - The Levelling-Up and Regeneration Act has Royal Assent. The Act will have implications for the formulation of future Local Plans. The Government has recently published revisions to the National Planning Policy Framework for consultation. Changes to the National Planning Policy Framework will be kept under review during the development and examination of the Final Draft Local Plan.

## **10. UN Sustainable Development Goals (UNSDG)**

- 10.1** As the Local Plan is primarily focused on the use of land, overall levels of growth and the relationship to the environment and infrastructure then several of the UN Sustainable Development Goals will overlap with the aims of the Plan.



## 11. Key Decision Information

11.1 This report and the recommendations contained within it relate to the preparation of a new Borough Local Plan. This report is a key decision as it affects all wards in the Borough.

## 12. Earlier Cabinet/Committee Resolutions

12.1 Council – 24 July – Council decision to consult on the Final Draft Local Plan - [Agenda for Council on Wednesday, 24th July, 2024, 7.00 pm – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](https://www.newcastle-staffs.gov.uk/agenda-for-council-on-wednesday-24th-july-2024-7-00-pm)

## 13. List of Appendices

13.1 N/A

## 14. Background Papers

14.1 Final Draft Local Plan - <https://www.newcastle-staffs.gov.uk/planning-policy/local-plan>