

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

DATE: 23 JUNE 2026

Report Title: New Local Plan: Commencement and Governance Arrangements

Submitted by: Deputy Chief Executive

Portfolios: Planning and Town Centres

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
<p>To confirm the formal commencement of a new Borough Local Plan for Newcastle-under-Lyme and to notify stakeholders of the Borough Council's intentions by 30 June 2026. This will include setting out a proposed timetable and programme, alongside appropriate governance and delegation arrangements for the early stages of the new Local Plan programme to take account of the implications of the Town and Country Planning (Local Planning) (England) Regulations 2026, which came into force on the 25th March 2026.</p>			
<p><u>Recommendation</u></p> <p>That Cabinet:</p> <ol style="list-style-type: none">1. Approves the preparation of the Newcastle-under-Lyme Local Plan and issues a notice of intention (Appendix A) to commence the Plan in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2026.2. Approves the publication of the Newcastle-under-Lyme Local Plan timetable (Appendix B) in line with the relevant regulations.3. Delegates authority to the Interim Head of Service – Planning Policy, in consultation with the Planning and Town Centres Portfolio Holder to undertake the following activities: -<ol style="list-style-type: none">a. To approve further updates to the Local Plan timetable, as and when necessaryb. To approve and publish the statutory 'scoping stage' consultation for six weeks consultation and to prepare and publish a consultation report following the end of the consultation period.c. To approve, publish and update, where necessary, a Local Plan Consultation and Engagement Strategyd. To undertake a self-assessment of readiness for Local Plan preparation and to publish a self-assessment summary (at statutory Gateway 1 stage)e. To approve, publish and update a project initiation document ("PID") for the intended governance and resourcing requirements of the Local Plan			

- f. To approve, publish and submit the required documents and statements for statutory Gateway 2 and publish the required outcomes received from the appointed Inspector
 - g. To approve evidence documents, evidence reports and supporting data and analysis for publication associated with the Local Plan.
4. Instructs officers to report to Cabinet on the statutory Local Plan consultation stages associated with 'consultation on proposed Local Plan content and evidence' and 'consultation on the proposed Local Plan'
 5. Instructs officers to report to Cabinet to seek authority to progress with Gateway 3 and the submission of the Local Plan for examination. The submission stage of the Local Plan is a decision of Full Council.
 6. Agrees to withdraw the Council's Local Development Scheme and Statement of Community Involvement (the plan making elements) that are removed through the updated Local Plan system.
 7. Notes that regular reports on the progress of preparing a Local Plan will continue to be presented at meetings of the Economy and Place Scrutiny Committee.

Reasons

Cabinet, on the 4 February 2025, approved the Council's Local Development Scheme (timetable) for producing a new Local Plan for the Borough. Following the Levelling Up and Regeneration Act 2023, regulations (from the 25 March 2026) set out changes to the way Local Plans are prepared. This report sets out further information on the new Local Plan system and considers the regulatory requirements of the new system, including the need to publish a notice of intention to commence Plan making by the 30th June 2026, undertake a 'scoping consultation' and complete and publish a 'Gateway 1' self-assessment' by the 31 October 2026.

1. Background

- 1.1 A Local Plan sets the vision and framework for how the Borough will grow and develop in the future. It sets out targets for the number of jobs and homes to be delivered in the Borough and provides a spatial strategy to guide development to the most sustainable locations.
- 1.2 The Council has recently prepared a Local Plan (2020-2040) which was submitted for examination in December 2024. The Local Plan Inspector's report has now been published and a separate report, to Cabinet and then Full Council, will consider the future adoption of that Local Plan.
- 1.3 The transitional provisions of the December 2024 National Planning Policy Framework ("NPPF") (paragraphs 234b & 236 respectively) for Local Plan making, allowed the examination of the Local Plan (2020-2040) to take place using a previous version of the NPPF (the 2023 Framework). In the December 2024 NPPF, the government introduced a new method for calculating local housing need. This increased the housing need figure for the Borough to circa 559 dwellings per annum (at the time of writing) compared with the emerging Local Plan requirement of 400 dwellings per annum. Where a Local Plan has been submitted for examination on or before the 12 March 2025 and the emerging Plan provides for less than 80% of local housing need, the Local Planning Authority is expected to begin work on a new Local Plan, under the revised plan-making system provided for under the Levelling Up and

Regeneration Act 2023 in order to address any shortfall in housing need. This is the position the Borough Council is in. The Council is therefore required to start work on a new Local Plan, in line with the now published regulations (applicable from the 25 March 2026).

- 1.4** The Borough Local Plan 2020-2040, if adopted, will be used for determining planning applications, during the formulation of the new Local Plan and for supporting growth, through housing and employment allocations, to bring forward sites across the Borough supported by appropriate infrastructure. The delivery of allocations will support ongoing investment into the Borough and support an ongoing pipeline of deliverable housing sites to meet five-year housing land supply requirements.
- 1.5** This report requests approval to start an update of the Local Plan, in line with the Town and Country Planning (Local Planning) (England) Regulations 2026, which came into force on the 25th March 2026. Further recommendations in this report seek to provide a robust and transparent decision-making process indicating the move to a new statutory plan-making process. This report focuses on the technical / procedural requirements to commence work under the new system. Details of the content of the Local Plan will be the subject of future reports to Members.
- 1.6** Guidance and regulations attached to the new Plan making system reiterate that the Council should start work on a new Local Plan under the new Local Plan system from the 30 June 2026. The regulations require the Council to complete stages in developing the Local Plan in a sequential order. Early stages associated with the development of the new Local Plan state that the Council must: -
- give notice of its intention to commence plan making by the 30th June 2026, alongside a timetable for producing a Local Plan.
 - undertake a scoping consultation on what the Plan could contain and how the Council should engage on the Local Plan.
 - publish the outcomes of a self-assessment stage which looks at the anticipated programme and governance of the Local Plan (called Gateway 1) by the end of October 2026.

Once the Gateway 1 stage is passed, then the new Local Plan system is intended to start, with a formal plan making stage and prescribed process of 23 months following by months 24-30 where matters of examination of the 'soundness' of the Local Plan and ultimately adoption are considered (Town and Country Planning (Local Planning) (England) Regulations 2026). It is expected that the Local Plan is prepared and examined within a 30-month period.

- 1.7** Cabinet on the 4 February 2025 approved the Council's Local Development Scheme (timetable) for producing a new Local Plan for the Borough. It was agreed at this time that a new Local Plan would be prepared. The new Local Plan making system is intended to see Local Plans prepared more speedily than before and use digital technology to help in this objective as well as make the process and content of Plans more accessible to stakeholders, particularly as regards informing and commenting on policy development. The new Local Plan regulations replace the requirement for the Council to prepare a local development scheme, going forward, and a Statement of Community

Involvement (on how the Council engages on the Local Plan) through new requirements for a digital timetable (reviewed monthly) and an engagement strategy for the Local Plan.

1.8 The following sets out the regulatory stages and approach to preparing a Local Plan under the new Plan making system: -



1.9 Alongside the new local plan regulations, The National Planning Policy Framework (NPPF) sets out the UK Government's overarching planning policies for England and explains how these must be applied in both plan-making and decision-taking. It provides a national framework within which local planning authorities prepare Local Plans and determine planning applications. The NPPF emphasises that up-to-date Local Plans are essential, and planning law requires that decisions be made in accordance with such plans unless material considerations indicate otherwise. In late 2025, the government consulted on changes to the NPPF to reflect the new Local Plan system. A final version of the NPPF is expected later in 2026 and will be material in the future direction of the Local Plan.

1.10 The government is looking to provide further guidance and templates on several aspects of the new Local Plan system with an ambition to create more digitally enabled and presented Local Plans.

2. Issues

2.1 The recent publication of Local Plan regulations represents a significant change in the way Councils prepare a Local Plan. This includes new requirements to start the Local Plan process, a new 30 months timeframe for plan preparation following a successful gateway 1 self-assessment and a revised Local Plan process involving scoping consultation, two further public plan consultations and three gateway assessments (two inspection led) to

ensure that issues are addressed early in the process. The Borough Council is one of 39 Councils in England who are required, through transitional arrangements, to issue a commencement notice at the end of June 2026 and the outcomes of gateway 1 by the end of October 2026. The issuing of the results of Gateway 1 represents the start of the formal 30-month Local Plan programme.

- 2.2** The Council is required to publish a notice of commencement, by the 30 June 2026, at least four months before publishing its gateway 1 self-assessment summary at the end of October 2026. This is in order to provide notice to stakeholders that plan making will shortly commence. There is a prescribed format to the structure of the commencement notice and this is set out in Appendix A.
- 2.3** There is a requirement to publish a timetable for producing the Local Plan at the same time as issuing the commencement notice, if not before. The timetable is expected to be complied with during the development of the Local Plan and reviewed at least monthly. Cabinet approval is sought to publish the Local Plan timetable and delegate justifiable future changes to officers in consultation with the Leader / Portfolio Holder, as necessary in order to meet the 30 month programme.
- 2.4** Once the notification of commencement is published, the Council is required to invite representations on matters including what the Plan should contain and how engagement on the Local Plan is going to take place through a 'scoping consultation'. Representations are to be invited from several groups and stakeholders including a list of defined consultation bodies, as set out in regulations. Officers are seeking delegated approval to prepare, publish and run this formal stage of consultation in order to meet the timetable requirements between the notification of commencement and Gateway 1 assessment.
- 2.5** Gateway 1 is the first of 3 mandatory gateway stages for plan preparation. Gateway 1 is a self- assessment stage, which considers how ready the Council is to prepare a Local Plan in the timetable envisaged. This includes the preparation and review of the Council's project initiation document which sets out the governance and resourcing considerations associated with the development of the Local Plan.
- 2.6** The publication of the outcomes of Gateway 1, at the end of October 2026 would start the formal 30-month period to produce a Local Plan. Following this stage, the Council is to prepare a consultation document setting out what the proposed Local Plan is intended to contain and its evidence, including a draft vision. The consultation stage is a minimum 6-week consultation stage. A report is intended to be brought back to Cabinet to approve the content of the consultation document and confirm the approach to consultation.
- 2.7** The Council will seek observations and advice from the Planning Inspectorate at a 'Gateway 2' stage of assessment to seek to resolve future potential soundness and other issues. This will focus on a limited number of issues. The Council is required to publish a number of documents associated with this Gateway stage, including the outcomes of the discussion with the Planning Inspectorate. This stage of the process is proposed to be delegated to officers,

in consultation with the Portfolio Holder as a technical part of the Plan making programme.

- 2.8** The final stages of the Local Plan include the preparation of the draft Local Plan and then the triggering of the more formal stages of Plan making, including a Gateway 3 assessment which looks at the legal aspects of the Local Plan and then the formal examination of the Plan. A report to Cabinet will be tabled at this stage to seek approval on the content of the proposed draft Local Plan. Full Council approval will then be required to submit the Local Plan for examination.
- 2.9** The examination of the Local Plan is intended to consider the tests of ‘soundness’ as set out in the NPPF. These are that the Plan is positively prepared, justified, effective and consistent with national planning policy. Following the examination and subject to a successful outcome at examination, the Plan would then be considered for adoption at a meeting of Full Council.
- 2.10** Alongside changes to the Local Plan system, the government has introduced Spatial Development Strategies (“SDS”) which are high-level strategic level plans that set out policies for how places should grow, covering issues at a strategic level. The currently proposed geographies for the SDS as set out in a government consultation paper recently are Stoke-on-Trent and Staffordshire combined. The actual geographies will be confirmed by government in due course. New Local Plan’s are intended to be in conformity with the SDS once adopted.

3. Recommendation

- 3.1** That Cabinet:
- 3.2** Approves the preparation of the Newcastle-under-Lyme Local Plan and issues a notice of intention (Appendix A) to commence the Plan in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2026
- 3.3** Approves the publication of the Newcastle-under-Lyme Local Plan timetable (Appendix B) in line with the relevant regulations.
- 3.4** Delegates authority to the Interim Head of Service – Planning Policy, in consultation with the Planning and Town Centres Portfolio Holder to undertake the following activities:-
- To approve further updates to the Local Plan timetable, as and when necessary
 - To approve and publish the statutory ‘scoping stage’ consultation for six weeks consultation and to prepare and publish a consultation report following the end of the consultation period.
 - To approve, publish and update, where necessary, a Local Plan Consultation and Engagement Strategy
 - To undertake a self-assessment of readiness for Local Plan preparation and to publish a self-assessment summary (at statutory Gateway 1 stage)

- To approve, publish and update a project initiation document (“PID”) for the intended governance and resourcing requirements of the Local Plan
- To approve, publish and submit the required documents and statements for statutory Gateway 2 and publish the required outcomes received from the appointed Inspector
- To approve evidence documents, evidence reports and supporting data and analysis for publication associated with the Local Plan.

3.5 Instructs officers to report to Cabinet on the statutory Local Plan consultation stages associated with ‘consultation on proposed Local Plan content and evidence’ and ‘consultation on the proposed Local Plan’.

3.6 Instructs officers to report to Cabinet to seek authority to progress with Gateway 3 and the submission of the Local Plan for examination. The submission stage of the Local Plan is also a decision of Full Council.

3.7 Agrees to withdraw the Council’s Local Development Scheme and Statement of Community Involvement (the plan making elements) that are removed through the updated Local Plan system.

3.8 Notes that regular reports on the progress of preparing a Local Plan will continue to be presented at meetings of the Economy and Place Scrutiny Committee.

4. Reasons

4.1 Cabinet on the 4 February 2025 approved the Council’s Local Development Scheme (timetable) for producing a new Local Plan for the Borough. Following the Levelling Up and Regeneration Act 2023, regulations (from the 25 March 2026) set out changes to the way Local Plans are prepared. This report sets out further information on the new Local Plan system and considers the regulatory requirements of the new system, including the need to publish a notice of intention to commence Plan making by the 30th June 2026, undertake a ‘scoping consultation’ and complete and publish a ‘Gateway 1’ self-assessment’ by the 31 October 2026.

5. Options Considered

5.1 The preparation of a Local Plan is a statutory requirement, as referenced in the Planning and Compulsory Purchase Act (as amended). The proposed timetable reflects the requirements of the new Local Plan system following the publication of regulations. The Council has been successful in obtaining some initial funding to help with the new Local Plan system on the basis of commencing the Local Plan from the 30 June 2026. Continued work on the Local Plan will help build confidence with stakeholders and landowners/developers of the council’s commitment to plan-led development and having an up-to-date framework to inform planning decisions. The risks of not progressing with an updated timetable is that without this, the council cannot formally commence a plan update under the new system and there is the potential for intervention by the Secretary of State.

5.2 As part of the proposed governance arrangements, there is an option to bring reports to Cabinet at various stages of plan preparation. While it is important and necessary that Cabinet receives reports at certain key stages, to ensure

that overall timescales are met in accordance with the new Local Plan regulations it is vital that delegations to officers and the portfolio holder are put in place. Not meeting gateway timescales and any other form of what appears to be non-progression of the plan could potentially result in intervention by the Secretary of State.

6. Legal and Statutory Implications

- 6.1** The Local Plan process is one in which the functions and responsibilities are allocated in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 as amended. The Council must comply with their statutory duty to prepare and maintain a Development Plan pursuant to the Planning and Compulsory Purchase Act 2004 (as amended)
- 6.2** The Town and County Planning (Local Planning (England) Regulations (2026) sets out what the Local Plan must contain and the process of preparing a Local Plan.
- 6.3** The National Planning Policy Framework is a material consideration in decision taking on planning applications and plan making. The NPPF reinforces the need to prepare and update Local Plan(s) and provides further guidance as to how to take this forward.

7. Equality Impact Assessment

- 7.1** This report considers the arrangements for governance and decision making with respect the new Local Plan. An equality impact assessment will be undertaken to support the content of the Local Plan, as it develops.

8. Financial and Resource Implications

- 8.1** The cost of circa £250,000 has been established to support the initial work on the Local Plan for 2026/27. This amount has been covered by an allocation from the budget support reserve fund (for the Local Plan) alongside grant funding from the Government made available to Council's progressing local plans through the new Local Plan making system. The Council has been successful in a bid for 'new system plans funding' for a total sum of £108,000. There is a risk of clawback of the funding if the Council does not meet key timescales associated with the Local Plan.
- 8.2** Further additional funding (estimated to be a further £700,000) of the Local Plan will be necessary to facilitate progress in Local Plan making and this includes an early refresh of the Council's evidence base to meet regulatory requirements and ensure the preparation of the Local Plan meets the test of soundness. Allocations for future years of funding on the Local Plan, including for 2027/28 and 2028/29, will be considered through the normal budget setting process for 2027/28 onwards. Decisions on Local Government Re-organisation may also impact on future funding for the Local Plan.

9. Major Risks & Mitigation

- 9.1** Local Plan risks are assessed and monitored as part of a project initiation document which is being prepared to support the Local Plan through the new system. Current risks to the Local Plan programme include:-

- 9.2** Changing legislation, policy and guidance – with the introduction of the new Local Plan system, further additional guidance, policy and / or legislation may have implications in the preparation of new Local Plans. For example as a response to consultation on a revised NPPF the final version of which is expected to be published in July 2026, there may be changes to policy which have implications on the scope and approach to future Plan making.
- 9.3** Local Government Re-organisation – decisions around local government re-organisation may have implications for the future programme associated with the Local Plan. This will be monitored through the governance arrangements of the Local Plan.
- 9.4** The results of planning appeals or legal decisions may have implications for the evidence base supporting plan preparation and / or the intended direction of emerging planning policy. This will need to be monitored and factored into the work programmes.
- 9.5** Budgetary and staffing requirements changing during the development of the Local Plan. This will be monitored and managed through the governance arrangements associated with the Local Plan.

10. UN Sustainable Development Goals (UNSDG)

- 10.1** The preparation of the Local Plan will consider the UN sustainable development goals. It will also be supported by environmental assessments (including the Strategic Environmental Assessment) which considers the impacts of the Plan on relevant environmental assets.



11. One Council

Please confirm that consideration has been given to the following programmes of work:

One Commercial Council

We will make investment to diversify our income and think entrepreneurially.

One Digital Council

We will develop and implement a digital approach to the Local Plan which makes it easy for all residents and businesses to engage with the Council, with our customers at the heart of every interaction.

One Sustainable Council

We will deliver on our commitments and make all decisions with sustainability as a driving principle

12. Key Decision Information

12.1 The Local Plan is a borough wide document that has implications on communities living or working in an area comprising more than two or more wards.

13. Earlier Cabinet/Committee Resolutions

13.1 Approval of Local Development Scheme (2025-2028) – item 8:- [Agenda for Cabinet on Tuesday, 4th February, 2025, 2.00 pm – Newcastle-under-Lyme Borough Council](#)

14. List of Appendices

14.1 Appendix A – notification of commencement of the new Local Plan

14.2 Appendix B – Local Plan Timetable

15. Background Papers

15.1 New Plan Making Regulations: Town and County Planning (Local Planning) (England) Regulations 2012 as amended:- [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2026](#)

15.2 Create a Local Plan webpages (government resource):- [Create or update a local plan using the new system - GOV.UK](#)