
**RESPONDING TO CONSULTATIONS FROM ADJACENT LOCAL PLANNING
AUTHORITIES ON THEIR EMERGING LOCAL DEVELOPMENT FRAMEWORK
DOCUMENTS**

**Responsible Cabinet Member – Councillor John Williams, Economy Portfolio
Responsible Director – Richard Alty, Assistant Chief Executive (Regeneration)**

SUMMARY REPORT

Purpose of the Report

1. This report outlines the proposed arrangements for responding to consultations on Local Development Framework (LDF) documents from adjacent local planning authorities within the necessary timescales, and seeks Cabinet's agreement to the proposed arrangements.

Summary

2. The Council gets consulted up to three times during the preparation of adjacent authorities' LDF documents. This could give rise to over fifty such consultations being received by the Council over the next 3 years.
3. New arrangements for responding to these consultations are needed to reflect the fact that:
 - (a) Consultations are received at different stages of the LDF document preparation process;
 - (b) Cross boundary issues are more prominent in some types of documents, e.g. Core Strategies, than others;
 - (c) The deadlines for making responses are often too short to enable the Council to present a report to Councillors prior to making a response to the consulting authority.
4. The proposed arrangements will provide a sounder basis for responding appropriately to consultations from neighbouring local planning authorities on their Local Development Framework documents, by delegating powers to agree the Council's response to the Assistant Chief Executive (Regeneration) in consultation with the Economy Portfolio holder, where the documents do not raise matters that warrant substantive and robust representations from the Council.

Recommendation

5. It is recommended that :-

- (a) the proposed arrangements set out at Paragraph 11 of the main report be agreed;
- (b) the Assistant Chief Executive (Regeneration) in consultation with the Economy Portfolio Holder be authorised to make comments/representations on adjoining authorities' Local Development Framework documents, subject to the Assistant Chief Executive (Regeneration) and the Economy Portfolio Holder not deciding that the issues raised are so significant to the strategic objectives of the Council that the matter should be referred to Cabinet;
- (c) When the timetable for representations does not allow for a Cabinet decision, the Assistant Chief Executive (Regeneration) be authorised, in consultation with the Economy Portfolio Holder, to issue a holding comment, to be subsequently reported to Cabinet for confirmation and amendment.

Reasons

6. The recommendations are supported by the following reasons :-

- (a) To operate an efficient and effective Planning Service, specifically to ensure that the Council can respond appropriately to all the consultations on neighbouring Local Development Framework documents it receives.

Richard Alty
Assistant Chief Executive (Regeneration)

Background Papers

No background papers were used in the preparation of this report

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S17 Crime and Disorder	The proposed arrangements will have a neutral impact on the Council's ability to consider issues of crime and disorder.
Health and Well Being	The proposed arrangements will have a neutral impact on the Council's ability to consider issues of health and well being.
Sustainability	The documents that other local authorities submit to the Council will be subject to sustainability appraisal.
Diversity	The proposed arrangements will have a neutral impact on the Council's ability to consider diversity issues.
Wards Affected	Depends on the nature of the document on which the Council is being consulted and the local authority that is doing the consulting.
Groups Affected	Depends on the nature of the document on which the Council is being consulted and the local authority that is doing the consulting.
Budget and Policy Framework	The work will be undertaken within existing resources.
Key Decision	No
Urgent Decision	No
One Darlington: Perfectly Placed	The proposed arrangements will help to ensure that adjacent authorities' plans do not adversely impact the delivery of the priorities in the sustainable community strategy.

MAIN REPORT

Background

7. Under the new planning regulations introduced in 2004, all adjacent local planning authorities must consult this Council on any development plan documents (DPDs) that it is preparing, and may also consult this Council on any supplementary planning document (SPD) it is preparing. The DPDs and SPDs that each authority is preparing for their Local Development Frameworks are set out in their respective Local Development Schemes.
8. The Council is likely to be consulted on DPDs on at least three occasions during their preparation:
 - (a) Issues and Options
 - (b) Preferred Options or similar
 - (c) Pre-submission publication

If the Council makes representations at the pre-submission publication stage, it can also submit evidence to an independent inspector examining the soundness of a DPD and request to be heard at that inspector's public examination.

9. The Council is only likely to be consulted once during the preparation of an SPD, when a draft SPD is published.

Information and Analysis

10. There are currently seven adjoining local authorities with more than twenty documents listed in total in their Local Development Schemes. These could give rise to more than fifty separate consultations over the next 2-3 years or so. The consultation periods for these documents vary from 4-6 weeks, depending on the type of document and its stage of preparation. This means that there is often insufficient time to prepare reports for consideration by the Council before the response deadline. Currently, all responses are prepared by officers with no involvement of elected members.
11. It is therefore proposed that arrangements be put in place to secure a sounder basis for the responses that officers make on the Council's behalf, whilst still enabling the Council to respond within the prescribed timescales. The proposals are:
 - (a) Delegated powers be given to the Assistant Chief Executive (Regeneration) to make comments/representations on adjoining authorities' Local Development Framework documents, subject to consultation with the Economy Portfolio Holder and the Assistant Chief Executive (Regeneration) and the Economy Portfolio Holder not deciding that the issues raised are so significant to the strategic objectives of the Council that the matter should be referred to Cabinet;
 - (b) When the timetable for representations does not allow for a Cabinet decision, then the Assistant Chief Executive (Regeneration) be authorised, in consultation with the Economy Portfolio Holder, to issue a holding comment, to be subsequently reported to Cabinet for confirmation and amendment;

- (c) Where the Council has made representations on a pre-submission publication version of a DPD document and indicated its intention to appear at a Public Examination into the soundness of the DPD, officers will prepare papers and attend the examination on the Council's behalf;
- (d) where the Council is notified of the adoption of documents on which it has made representations, this will be reported to the Economy Portfolio Holder.