

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ



please ask for Martha Clampitt
direct line 0300 300 4032
date 29 September 2011

NOTICE OF MEETING

LUTON AND SOUTH BEDS JOINT SUB COMMITTEE

Date & Time

Wednesday, 12 October 2011 at 9.30 a.m.

Venue at

Room 15b, Priory House, Monks Walk, Shefford

Trevor Holden
Chief Executive
Luton Borough Council

Richard Carr
Chief Executive

To: The Chairman and Members of the LUTON AND SOUTH BEDS JOINT SUB COMMITTEE:

Central Bedfordshire Council
Members: Cllrs K C Matthews and J N Young

Luton Borough Council
Members: Cllrs RJ Davis and D Taylor

All other Members of the Council - on request

MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS MEETING

AGENDA

1. **Election of Chairman**

To elect a Chairman for the Municipal Year 2011/12.

2. **Election of Vice-Chairman**

To elect a Vice-Chairman for the Municipal Year 2011/12.

3. **Members' Interests**

To receive from Members any declarations and the nature in relation to:-

(a) personal interests in any agenda item

(b) personal and prejudicial interests in any agenda item

Reports

Item	Subject	Page Nos.
4.	The Luton and South Bedfordshire Joint Committee - Amended terms of Reference for the Sub-Committee To seek amendments to the Terms of Reference of the Sub-Committee.	* 3 - 8
5.	Report on the options for future co-operative working on plan-making between Central Bedfordshire Council and Luton Borough Council To provide an initial background report on future liaison on plan-making to prompt discussion by the sub-committee.	* 9 - 12
6.	A new Plan-making Programme for Central Bedfordshire To present to the Sub-Committee the proposed planning policy documents outlined for Central Bedfordshire.	* 13 - 32

Luton and South Bedfordshire Joint Committee Date: 12 October 2011	
AUTHOR	Lachlan Robertson
SUBJECT	The Luton and South Bedfordshire Joint Committee – Amended terms of Reference for the Sub-Committee
PURPOSES	To seek amendments to the Terms of Reference of the Sub-Committee
RECOMMENDATIONS	That the Sub-Committee accept the amendments to the Terms of Reference of the Sub-Committee as set out in Appendix A.
REASON FOR RECOMMENDATIONS	A number of minor amendments to the ToR are required as a result of the withdrawal of the Core Strategy and the dissolution of the Joint Technical Unit.

1 BACKGROUND

- 1.1 The Joint Committee agreed the setting up of a Sub-Committee and its terms of reference at a meeting of the JC on 24 June 2011. The decision was as follows:

“RESOLVED

that the proposals set out in the report be approved to create a subcommittee of Members of the Joint Committee under Regulation 8 of the Luton and South Bedfordshire Joint Committee Order 2007.”

- 1.2 As a result of the decision of the Joint Committee on the 29 July 2011 to seek the withdrawal of the Core Strategy and the subsequent agreement of the S/S to do so, there is a need to re-visit the Terms of Reference of the Sub-Committee.
- 1.3 Members of the JC have informally expressed a wish to continue with the sub-committee as a means of continuing the joint decision making arrangements until the cessation of the Joint Committee formally on the 31st March 2012. The Joint Technical Unit which administered these arrangements has been disbanded in the light of the withdrawal of the Core Strategy. There is a need therefore to adjust the ToR to ensure continuity and support to the Sub-Committee. In practice, these amendments are minor in nature and the revised ToR is attached as Appendix A.

2 FINANCIAL IMPLICATIONS

- 2.1 The operation of the Terms of Reference will incur costs via the respective Committee support arrangements of both Councils.

3 LEGAL IMPLICATIONS

- 3.1 The amendments are minor in nature and do not go to the heart of their purpose. Therefore the Sub-Committee may make such minor adjustments as they consider necessary for the smooth running of its affairs.

4 EQUALITIES IMPLICATIONS

- 4.1 There are no equalities implications as these are minor procedural changes.

Luton and South Bedfordshire Joint Committee

Sub-Committee

TERMS OF REFERENCE

The Luton and South Bedfordshire Joint Committee has resolved to establish a sub-committee to exercise certain functions on its behalf. The sub-committee is to be known as “The Luton and South Bedfordshire Sub-Committee” and is referred to in the Terms of Reference which follow as “the Sub-Committee”.

A Purpose

The purpose of the Luton and South Bedfordshire Sub-Committee is to operate the Delegated Authority of the L&SB Joint Committee and to provide such advice to the Authorised Person, the Joint Committee and the latter’s constituent Authorities as may be necessary on matters relating to the Local Development Framework or Local Plan of the Luton and south Central Bedfordshire area.

B Powers

In furtherance of their purpose but not otherwise the Sub-Committee will:

- a. Make such decisions as necessary as required under the Delegated Authority.
- b. Instruct the Authorised Person to undertake any actions that the sub-committee considers are necessary to progress the Local Development Framework or Local Plan; provided that such actions are contained within the general intent of the Delegated Authority.
- c. Receive reports from the Authorised Person on all matters intended to be placed before the Joint Committee and to ratify their use; without prejudice to such minor matters as do not conflict with the Delegated Authority.

C Membership

Membership of the Sub-Committee comprises:

1. The Chair and the Vice-Chair of the Joint Committee; and

2. One member from each of the constituent Authorities (Central Bedfordshire Council and Luton Borough Council).
3. Each Member may be substituted by a member from that person's constituent Authority as required by that Member.

D. General Meetings

1. General Meetings of the Sub-Committee shall be held at such dates, times and venues as the Sub-Committee itself or the Chair shall determine.
2. In exceptional circumstances, the Authorised Person may convene a General Meeting if he/she considers that it will further the progress of the Local Development Framework.
3. The Chair or Authorised Person may alter the dates of meetings in exceptional circumstances.

E. Special General Meetings

1. A Special General Meeting of the Sub-Committee may be called by the Authorised Person if there is a written request to the Chair by at least 3 Members of the Joint Committee stating the business to be considered.
2. The Notice of such a meeting shall set out the business to be considered at that meeting.

F. Notice

1. Notice of the date and time of each meeting of the Sub – Committee shall be given to each representative at least 5 clear days prior to the date of the meeting.
2. Notice of a Special General Meeting shall be given to each representative at least 7 clear days prior to the date of the meeting.

G. Quorum

There shall be a Quorum at any General or Special General Meeting when at least one member from each of the two participating authorities of the Sub-Committee are present.

H. Administration of the Sub-Committee

The Sub-Committee shall be administered on an alternating basis by the Committee Services teams of the two authorities (Central Bedfordshire Council and Luton Borough Council).

I. Agenda for Meetings

1. The Chair, in consultation with the Authorised Person and the Vice-Chair, will be responsible for agenda planning.
2. Reports must be published at least 5 clear days before the date of the meeting and must be with the appropriate Committee Services team at least 7 clear days before the meeting.
3. The Agenda for a meeting of the Sub-Committee may include any item or report as the Chair, in consultation with the Authorised Person and Vice-Chair, considers necessary, to progress the Local Development Framework.
3. The Chair, Vice Chair or the Authorised Person may invite such observers or such other persons who may be invited specifically to contribute to the debate at the meeting as is considered to be helpful to the progress of the Local Development Framework or Local Plan. All Members of the Joint Committee will be invited to attend, though only Members of the Sub-Committee may vote.

J. The Chair

1. The Chair shall preside at all meetings of the Sub-Committee except that:
2. In his/her absence the Vice-Chair shall preside except that:
3. In the absence of both Chair and Vice-Chair, their substitutes may attend in their place for that Meeting and the meeting shall elect a Chair to preside for the duration of the meeting.

K. Voting

1. The Sub-Committee will act to progress the delivery of a Local Development Framework or Local Plan in an expeditious manner and on the principle that a collective accord is reached on all matters placed before it.

2. Where the Chair considers that a vote on any matter is required, each representative present at the Sub-Committee shall be entitled to one vote.
3. In the event of a tied vote, there shall be no casting vote and the proposal will fall. The minutes shall record this accordingly.

L. **Agendas**

Officers of the two participating Councils will (as far as possible) take account of the severe time constraints that the Sub-Committee may operate under in the period leading from Submission of a Development Plan Document to the Secretary of State and Adoption of that Plan. Hence agendas should be realistically formulated in order that meetings are able to transact the full business outlined.

M. **Allowances**

All Sub-Committee members are reimbursed according to the normal arrangements of their constituent Authorities and it is the responsibility of the constituent Authorities to administer those arrangements.

(Dated 26 September 2011)

Luton and South Bedfordshire Joint Committee Sub-Committee Meeting Date: 12 October 2011	
AUTHOR	Lachlan Robertson
SUBJECT	Report on the options for future co-operative working on plan-making between Central Bedfordshire Council and Luton Borough Council
PURPOSES	To provide an initial background report on future liaison on plan-making to prompt discussion by the sub-committee.
RECOMMENDATIONS	None
REASON FOR RECOMMENDATIONS	This report provides background information for discussion purposes only. Members may wish to commission further, more detailed reports if required.

1 BACKGROUND

- 1.1 The Luton and South Bedfordshire Joint Committee sought the withdrawal of the Core Strategy from Examination, on the 29nd of July 2011. This was confirmed by the Secretary of State on the 9th of September 2011.
- 1.2 After the formal meeting, many Members of the Joint Committee, other Councillors and Officers held an informal meeting to discuss matters arising from that decision. It was informally agreed that the Joint Committee would continue for the time being and that a discussion would take place by the sub-committee on the future of co-operative endeavours by both Councils on future plan-making.
- 1.3 The progress of the Government's Localism Bill through Parliament is directly relevant to this discussion. There is a prospect that a new "duty to co-operate" in plan-making will be enacted by the end of November 2011. It will be important for Members to consider the implications of this new statutory duty.
- 1.4 In addition, the draft National Planning Policy Framework is currently in consultation and it includes specific references to the duty to co-operate that will be taken into account in considering any new planning policy documents that are taken forward by both Councils.

- 1.5 Finally, this report speculates on the level of co-operative working at a technical level that would be of most benefit to both Councils in the preparation of their separate new Plans.

2 THE LOCALISM ACT, THE NPPF AND THE “DUTY TO CO-OPERATE”

- 2.1 The new clause 98 which sets out the duty to co-operate in the Localism Bill is currently in flux and the final wording is not yet settled. However, the main elements of the duty are widely known and unlikely to change:

- That Councils will be expected to demonstrate that they have co-operated on cross-boundary issues where relevant to their respective Plans. This is currently expressed as a duty; *“to engage constructively, actively and on an on-going basis...”*.
- That Councils; “must have regard to any guidance given by the Secretary of State about how the duty is to be complied with.”

- 2.2 That guidance is to be found in paras. 44-47 of the draft National Planning Policy Framework. It suggests that the duty to co-operate:

- Should be ‘diligently undertaken’ for the mutual benefit of neighbouring authorities;
- Should include collaboration with ‘other bodies’ to ensure strategic priorities across local boundaries are properly co-ordinated and clearly reflected in Local Plans;
- Should take account of different geographical areas including travel-to-work areas;
- Should enable delivery of sustainable economic growth in consultation with Local Enterprise Partnerships;
- Will need to evidence when Local Plans are submitted for Public Examination;
- Could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy;
- Should be a continuous process of thinking from initial engagement to implementation;

- Should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas.

2.3 Councils will be able to present a “sound” Plan where there is evidence of such co-operation. What however is unknown at this stage is the degree to which co-operation is required, what the sanctions might be if it doesn’t occur and what would occur if there were genuine and supported-by-evidence policy differences between adjoining authorities.

3 TECHNICAL EVIDENCE GATHERING

3.1 One area where local planning authorities could work together in plan-making is to undertake joint evidence gathering. Of course, each study, report or technical assessment that has cross-boundary implications will have its own unique features that determine how two or more Councils may co-operate together on its production. Therefore, for the sake of simplifying the discussion, three “types” of co-operation on technical matters are presented here.

Level 1: A jointly commissioned study with shared funding that covers both CBC and LBC areas. It may also include other Local Authorities.

Level 2: Co-operative working at a technical level but resulting in separate published studies.

Level 3: Liaison and consultation to share methodologies, data and experience.

3.2 Until such time as both authorities present their intentions on future plan-making to the Joint Committee’s sub-committee, it is not possible to be precise on which studies would require what level of co-operation. However, it can be anticipated that the following work could be delivered with some level of co-operation between the two planning authorities:

1. A Strategic Housing Market Assessment Update (Level 2 study or Level 3)
2. A Business Needs and/or Market Review (Level 1)
3. A Strategic Housing Land Availability Assessment co-ordinated fully with an Economic Development Land Review. (Level 3)
4. Retail and Leisure Assessments (Level 2)
5. An Infrastructure Assessment (Possibly a Level 1 study if agreed between the Authorities, Level 2 otherwise.)
6. A Sustainability Appraisal (Level 3)
7. A Strategic Flood Risk Assessment (Level 1)

- 3.3 It will be necessary to provide suitable “governance” and funding of this co-operative work, and this will require further discussion by the sub-committee.
- 3.4 Clearly there are many other issues that will require discussion such as the timing of the preparation of new Plans, the service level agreements that will be required between local authorities, the co-operative management of joint work and the harmonisation of resulting policy should that be required.

4 FINANCIAL IMPLICATIONS

- 4.1 The production of the technical studies and the operation of joint working will incur an administrative cost and capital costs of any externally commissioned work.

5. LEGAL IMPLICATIONS

- 5.1 There are legal implications arising directly from this report in that there may be a need to undertake formal arrangements to comply with the duty to co-operate as set out in any final Localism Act 2011.

6. EQUALITIES IMPLICATIONS

- 6.1 There are no equalities implications as all processes will still be subject to normal equalities impacts assessments.

BACKGROUND DOCUMENTS

Localism Bill as placed before Parliament, summer 2011
National Planning Policy Framework, Consultation Draft - August – October 2011.

Luton and South Bedfordshire Joint Committee Sub-Committee Meeting Date: 12 October 2011	
AUTHOR	Richard Fox
SUBJECT	A new Plan-making Programme for Central Bedfordshire
PURPOSES	To present to the Sub-Committee the proposed planning policy documents outlined for Central Bedfordshire
RECOMMENDATIONS	1) that the Sub-Committee consider and agree the proposed Plan-making Programme insofar as it relates to southern Central Bedfordshire. 2) that delegated authority be given to the Authorised Person, in consultation with the Chair of the Joint Committee, to make any minor changes necessary to the Programme, both prior to and following submission.
REASON FOR RECOMMENDATIONS	The Joint Committee remain the plan-making authority for southern Central Bedfordshire until 31 March 2011.

Introduction

1. From 1 April 2012, formal responsibility for plan-making across Luton and southern Central Bedfordshire will revert to Luton Borough Council and Central Bedfordshire Council for the respective areas. In preparation for this, and in light of the recent withdrawal of the joint Core Strategy, Central Bedfordshire Council has set out the planning policy documents it intends to produce in the form of a "Plan-making Programme". This new Programme will be formally known as the Local Development Scheme for Central Bedfordshire but in the interests of transparency and accessibility a new title has been given that more clearly explains the purpose of the document.
2. The attached report and "Plan-making Programme" were considered by Central Bedfordshire Council's Executive on 4 October. However, since the Joint Committee is technically still the plan-making authority for the southern part of Central Bedfordshire it is necessary for the Joint Committee to formally consider and agree the Local Development Scheme for that part of Central Bedfordshire.

3. While the “Plan-making Programme” proposes documents that cover Central Bedfordshire only, there will clearly be a need under the duty to cooperate for continued joint working and sharing of information across boundaries. A report elsewhere on this agenda sets out the key areas for cooperation and how this might work in practice.
4. The Programme of Plan-making must be submitted to the Government (DCLG). It will come into effect four weeks after submission unless the Secretary of State intervenes or asks for more time. Given the potential for minor changes to be suggested by the Secretary of State as part of the submission process, it is recommended that delegated authority be given to the Authorised Person (see elsewhere on the agenda for details), in consultation with the Chair of the Joint Committee, to make any minor changes necessary to the Programme, both prior to and following submission.
5. As stated above, the Programme was considered by Central Bedfordshire Council’s Executive on 4 October. A verbal update will be provided at the meeting on the resolution from the Executive meeting.
6. The Joint Committee is recommended to agree the Plan-making programme insofar as it relates to the southern part of Central Bedfordshire.

Appendices:

Appendix A – Executive report for 4 October 2011

Appendix B – Plan-making Programme for Central Bedfordshire

Meeting: Executive

Date: 4 October 2011

Subject: A new Plan-making Programme for Central Bedfordshire

Report of: Cllr Ken Matthews, Executive Member for Sustainable Communities - Strategic Planning and Economic Development

Summary: The report sets out the scope and timetable for the production of future development plans for the Central Bedfordshire area, including specific reference to a new "Development Strategy" document and a Gypsy and Traveller Plan. These documents will, as necessary, refresh, update and roll forward the existing planning policy framework in Central Bedfordshire. Members are recommended to endorse the programme of work, attached at Appendix A.

Advising Officer: Alan Fleming, Acting Director of Sustainable Communities

Contact Officer: Trevor Saunders, Assistant Director Planning

Public/Exempt: Public

Wards Affected: All

Function of: Executive

Key Decision Yes

Reason for urgency/ exemption from call-in (if appropriate) N/A

CORPORATE IMPLICATIONS
<p>Council Priorities:</p> <p>The Council's priority to manage growth effectively relies on an overarching plan to direct development to the most appropriate areas and to set the principles by which development will be managed. The proposed Development Strategy and other elements of the plan-making programme will therefore be a key part of the Council's approach to new development.</p> <p>Financial:</p> <p>As previous experience shows, plan-making is expensive and considerable resources will need to be devoted in order to achieve a sound plan. However, the scale of the Council's investment should be seen in the context of the scale of new investment (new commercial and retail development as well as residential) into Central Bedfordshire that a Development Strategy will enable. In particular, the New Homes Bonus Scheme seeks to provide a powerful local incentive to support the development of new homes. A Development Strategy document will also enable a Community Infrastructure Levy (CIL) to be produced that will help lever in funding for new infrastructure to support development.</p>

The cost of plan-making should also be seen against the cost of the alternative approach of fighting public inquiries against inappropriate development. It is also worth noting that the previous plan-making work for Central Bedfordshire will provide an excellent foundation from which to start and will help minimise the extent of new work necessary.

In terms of new budget provision, producing the suggested new plans is likely to cost in the region of £300,000 per year for the next three years. This is the amount estimated based on an initial assessment of the work required and experience of previous plan-making activities in the north and south of Central Bedfordshire. In the early part of plan preparation expenditure is likely to focus on the costs of organising and undertaking consultation activities and evidence gathering. While some of the work can be undertaken in-house, consultants will need to be brought in for particular technical areas such as retail assessments and economic modelling where specific skills and expertise are required. Later in the project expenditure will revolve around preparing the document for Public Examination and the Planning Inspectorate's costs of the Examination and the Inspector's report. There may also be expenditure related to Neighbourhood Plans being produced, particularly the local referenda needed. While Central Government funding is available this will be limited and may not cover the full costs of producing plans. The Council will need to take a view at some stage on what role it will play in Neighbourhood Plans and what funding it is prepared to make available to local communities.

Further details of costs are being worked up alongside project plans for the individual plans produced, which will set out the necessary steps in more detail than the Plan-making Programme.

The additional cost has been identified as a budget pressure in the Medium Term Financial Plan from 2012/13 onwards for three years. Provision will also be needed to allow for the varying profile of costs throughout the period such as the high start-up costs of beginning evidence creation and the high final cost of the Planning Inspectorate's Public Examination costs.

Legal:

Once adopted the documents included within the plan-making programme will form part of the statutory Development Plan and will be the basis for consideration of planning applications. Until this happens the existing adopted documents will continue to set the planning framework.

Until 31 March 2012, the Luton and South Bedfordshire Joint Committee, (and not Central Bedfordshire Council) is the 'plan-making' authority for the Luton and southern Central Bedfordshire area and it will therefore be necessary to seek the agreement of the Joint Committee to this new programme of plan-making in the south of the Council area.

Risk Management:

The process of producing a Development Strategy and other planning policy documents is long and complex and high quality project management and risk management skills will be required. A project team is being put together to oversee the work.

Staffing (including Trades Unions):

Staff resources to undertake this project are largely in place. Any resource required can be accommodated within the existing staff structures and budgets.

Equalities/Human Rights:

The plans listed in the programme of plan-making will be subject to a specific Equalities Impact Assessment in order to comply with the relevant regulatory requirements.

Community Safety:

Planning policy can have an indirect influence on community safety through coordinating appropriate provision of community infrastructure and ensuring that individual development proposals take account of community safety issues.

Sustainability:

The new Development Strategy will have as its underlying basis the achievement and delivery of sustainable development. The plans listed in the programme of plan-making will be subject to a specific Sustainability Appraisal/Strategic Environmental Assessment in order to comply with the relevant regulatory requirements.

Summary of Overview and Scrutiny Comments:

Recommendations to the Executive from Sustainable Communities Overview and Scrutiny Committee meeting on 13 September 2011:

1. that the submission draft Gypsy and Traveller Document for the north of Central Bedfordshire, together with the underlying evidence base, be endorsed for development management purposes;
2. that all practicable means be taken to shorten the plan-making programme for the production of a Gypsy and Traveller Plan for Central Bedfordshire to the minimum necessary to comply with legislative requirements; and
3. that further details should be provided of the budget pressure of £300,000 identified in the Medium Term Financial Plan from 2012/13 per year for the next three years to produce the plans set out in the programme.

[In relation to recommendation 3, further information has been included within the "Financial Implications" section above.]

RECOMMENDATIONS:

1. that the Executive supports the preparation of the following plans:
 - Development Strategy
 - Gypsy and Traveller Plan
 - Site Allocations Plan and/or Neighbourhood Plans as appropriate;
2. that the Executive notes the attached programme of plan-making, which will formally represent the Local Development Scheme for Central Bedfordshire;

- 3. that, in respect of the northern part of Central Bedfordshire:**
- a) the Executive agrees the programme of plan-making for formal submission to the Secretary of State and, following approval, brings the programme into effect;**
 - b) the Director of Sustainable Communities in consultation with the Executive Member for Sustainable Communities - Strategic Planning and Economic Development, be authorised to make any minor changes to the programme of plan-making, both prior to formal submission and in response to any comments made by the Secretary of State.**
- 4. that, in respect of the southern part of Central Bedfordshire, the Executive recommends to the Luton and South Bedfordshire Joint Committee that it agrees the programme of plan-making for formal submission to the Secretary of State and, following approval, brings the programme into effect.**

Reason for Recommendation(s): To set the scope and timetable for future plan-making in Central Bedfordshire.

Executive Summary

The report sets out the scope and timetable for future plan-making activity in the Central Bedfordshire area, including specific reference to a new "Development Strategy" document and a Gypsy and Traveller Plan. These documents will, as necessary, refresh, update and roll forward the existing planning policy framework in Central Bedfordshire. Members are recommended to endorse the attached programme of work.

Background

1. In terms of planning policy there is currently a difference in approach between the northern and southern parts of Central Bedfordshire, derived from the arrangements of the legacy authorities. In the northern part of Central Bedfordshire there are adopted Core Strategy and Development Management Policies, Site Allocations Development Plan Documents (DPDs) and an emerging Gypsy and Traveller DPD which together provide a comprehensive development plan for that part of Central Bedfordshire.
2. In the southern part of Central Bedfordshire, formal responsibility for planning policy-making currently lies with the Luton and South Bedfordshire Joint Committee. The Joint Committee resolved on 29 July 2011 to write to the Secretary of State requesting a withdrawal of the submitted Joint Core Strategy. The reports considered by Central Bedfordshire Council's Executive on 12 July and 23 August 2011 provided more background on this issue. Providing a new approach to planning policy documents would have been necessary from 1 April 2012 in any event. However, the recent decision by the Joint Committee has created an increased impetus to proceed with single development plan coverage for the whole of Central Bedfordshire.

A changing national policy context

3. The Government has recently published a draft National Planning Policy Framework (NPPF), a document which seeks to radically condense the current suite of planning policy statements, guidance and circulars into a single streamlined document. It is intended to reflect the Government's top priority to promote sustainable economic growth and jobs and to increase the overall supply of housing. The Framework introduces a strong presumption in favour of sustainable development which will prevail where development plans are not up-to-date. The Framework also maintains the importance of the Green Belt and states that boundaries should only be altered in exceptional circumstances. The final NPPF is expected to be in place before the end of the year.
4. The Localism Bill, due to be enacted later this year, introduces a series of planning reforms including the abolition of Regional Strategies, new neighbourhood plans, the community right to build and some changes to the Community Infrastructure Levy.
5. An important element of the Localism Bill is the "duty to cooperate". The duty extends to local authorities and other service providers and is intended to ensure a joined-up approach to plan-making across administrative boundaries. In large part, the new duty is a response to the void left by the abolition of the regional and sub-regional tiers of the planning system, but it is also a recognition that key planning issues require a response that sometimes transcend administrative boundaries. The duty is likely to require a high level of cooperation on evidence gathering and plan-making between bodies on an ongoing basis through preparation of the plan.
6. This duty will also be important to Central Bedfordshire because of the geography of the area. Large settlements and their centres of commercial activity lie outside of Central Bedfordshire but exert a strong influence on it. Any plan for Central Bedfordshire needs to recognise the influence of surrounding areas and the realities of the employment and housing markets. Close co-operation on issues such as employment land, retail, housing provision and transport infrastructure will therefore be important.
7. Informal discussions have already taken place with many of the relevant parties. More formal arrangements, including Member discussions, will need to be put in place with the surrounding authorities, notably Bedford Borough Council, Milton Keynes Council and Luton Borough Council, building on existing or providing new joint working arrangements.

A new approach for Central Bedfordshire

8. In order to create a single planning framework for Central Bedfordshire the attached programme of work suggests a collection of new planning documents for the whole of the area should be produced by the Council covering the period to 2031. The attached document will constitute the Local Development Scheme (LDS) for Central Bedfordshire in terms of the regulatory requirements.

9. It is important that the new documents cover the whole of the Central Bedfordshire area. The previous arrangement, whereby Central Bedfordshire was split in two for plan-making purposes, was appropriate as an interim measure while the Joint Committee continued with the joint plan for growth in Luton and southern Central Bedfordshire. However, with plan-making responsibilities returning to Central Bedfordshire Council it is important and appropriate that the area is treated as a whole.
10. The main planning document proposed is a new "Development Strategy" document which will set out the overarching spatial strategy and development principles for the area together with more detailed policies to help determine planning applications.
11. The Development Strategy will address largely similar issues to those in the Core Strategy and Development Management Policies in the north, but will also consider the allocation of strategic development sites in the south. The main elements of the Development Strategy will be:
 - the strategic objectives for the area;
 - an overarching strategy for the location of new development;
 - the scale of new employment, housing and retail provision;
 - the identification of new strategic scale development sites;
 - the extent of new infrastructure required (linked to the proposed Community Infrastructure Levy (CIL));
 - the key areas within Central Bedfordshire where development will not be appropriate and where green infrastructure and biodiversity interests will take priority; and
 - a set of detailed policies to guide the consideration of new development proposals.
12. The indicative timetable shown on the attached programme shows consultation on a draft plan around next May with formal adoption in early 2014.
13. During this process it will be important not to undermine or diminish the important planning policy work already undertaken for the area, which will remain in place until it is formally replaced. However there will be an opportunity to refresh this work in light of the new circumstances, the new plan area and the aspirations for Central Bedfordshire.
14. For the northern part of Central Bedfordshire the new Development Strategy document will refresh and roll forward the existing adopted planning policy framework. However, the decision to undertake a new plan for Central Bedfordshire does not affect the validity of the adopted documents in the north of the area, which will continue to be the starting point and main consideration for development proposals. These adopted documents will remain part of the statutory Development Plan until they are formally replaced by the adoption of the new strategy.

15. For the southern part of Central Bedfordshire, the Development Strategy will replace the adopted Local Plan (adopted in 2004) and can utilise the existing evidence produced as part of work on the joint Core Strategy prepared by the Joint Committee. Until a new Development Strategy is adopted however, the Local Plan and joint Core Strategy, which was recently endorsed for Development Management purposes, will continue to set the planning context for decisions on planning applications.
16. In order to set out the opportunities for public involvement in the Development Strategy and other plans the Statement of Community Involvement (SCI) will also need to be updated and applied to the whole of Central Bedfordshire. This document is currently being updated and will be published for consultation in due course. Member scrutiny will take place through the Sustainable Communities Overview and Scrutiny Committee and/or the Development Strategy Task Force.

Non-strategic elements of the programme

17. Aside from the Development Strategy there is a need to address other more detailed aspects of planning policy. Provision for the Gypsy and Traveller and Travelling Showpeople communities is also an issue that might usefully be separated out from other aspects of the programme. Local authorities are required to assess the accommodation needs of Gypsies and Travellers alongside the settled population and to develop a strategy that addresses any identified unmet need.
18. Recent Government guidance re-emphasises the importance of delivering Gypsy and Traveller pitches in line with local need and has sought to mainstream provision alongside other community requirements. The Development Strategy document will therefore need to set the context for future Gypsy and Traveller and Travelling Showpeople provision. However, the consideration of detailed sites is something that can more appropriately be dealt with through a planning document dedicated to this issue.
19. Significant work on the identification of Gypsy and Traveller sites has already been undertaken in the north of Central Bedfordshire and rather than discard these advances in the provision of sites it is proposed that this work is banked and helps to underpin the new document for the whole of Central Bedfordshire Council. To further provide assurance in the north of Central Bedfordshire it may be appropriate to endorse the work undertaken to date on the preparation of the Development Plan Document for development management purposes until such time as the new district wide document is in place. Members are therefore asked to support the preparation of a Central Bedfordshire-wide Gypsy and Traveller plan to deliver the combined pitch requirement for the northern and southern parts of Central Bedfordshire to 2031.
20. In terms of the allocation of other non-strategic sites, the previous approach was to produce a separate Site Allocations plan that sought to identify suitable non-strategic sites for housing, employment and other uses. In the north the Site Allocations DPD was adopted in April 2011 and progress towards a similar document in the south was in its early stages.

21. However, changes to the Localism Bill and the National Planning Policy Framework (NPPF) mean that an alternative approach might need to be considered where a Site Allocations document was not produced. Instead, the alternative could be to enable a more “localist” approach to be considered whereby individual parishes or neighbourhoods bring forward potential development sites through neighbourhood plans, in accordance with the Development Strategy. Guidance would be provided for neighbourhoods through the new Development Strategy document while the actual allocation is dealt with at the local level in new Neighbourhood Plans. Officers are still exploring this option and it will need further consideration once the Localism Bill is enacted and the NPPF agreed. At this stage, a separate Site Allocations plan is not included in the plan-making programme but one could be added at a later stage should it be required.

Plan-making responsibility

22. Up to 31 March 2012, the Luton and South Bedfordshire Joint Committee remains the Local Planning Authority for plan-making purposes in southern Central Bedfordshire. This programme of planning policy work will therefore need to be considered and agreed by the Joint Committee or its Sub-Committee. It is therefore recommended that Members agree the programme of work insofar as it relates to the northern part of Central Bedfordshire and recommend to the Joint Committee, or its Sub-Committee, that it does the same for the southern part.

Conclusions

23. Members are recommended to endorse the attached programme of plan-making for Central Bedfordshire, including a Development Strategy document and a Gypsy and Traveller plan.
24. The programme of plan-making must be submitted to the Government (DCLG). It will come into effect four weeks after submission unless the Secretary of State intervenes or asks for more time. When it takes effect the Council is required to make copies available at the Council offices and publish it on the website.
25. Members should note the potential for significant changes to emerge through the Localism Bill and the new regulations that will support the Bill, as well as the new NPPF. It might be that the attached programme needs further reflection early next year when the implications of these changes for plan-making become clear. However, on the basis of the current situation Members are recommended to endorse the attached programme.

Appendices

Appendix A - Central Bedfordshire Plan-making Programme

Background Papers: (open to public inspection)

North Central Bedfordshire Core Strategy and Development Management Policies DPD

North Central Bedfordshire Site Allocations DPD

Luton and southern Central Bedfordshire Core Strategy (Pre-Submission version, November 2010)

Location of papers: www.centralbedfordshire.gov.uk/environment-and-planning/planning/ldf

Appendix A



A plan-making programme for Central Bedfordshire

September 2011

(Local Development Scheme for Central
Bedfordshire)

1.0 Introduction

- 1.1 The Planning and Compulsory Purchase Act 2004 requires each local planning authority to produce a Local Development Scheme (LDS), which is essentially a work programme for the preparation of new planning policy documents. This plan-making Programme represents the LDS for Central Bedfordshire.
- 1.2 This document covers the whole administrative area of Central Bedfordshire. It is the starting point for the community and other stakeholders in order to find out which planning policy documents the Council intends to produce, and the timescale for their preparation.

2.0 About the area

- 2.1 Central Bedfordshire comprises the former administrative areas of Mid Bedfordshire and South Bedfordshire Districts. It is a varied area containing a mixture of rural countryside, attractive villages, and small to medium sized towns. It is well connected, being traversed by the M1, A1, A5 and A6 as well as the East Coast Mainline, West Coast Mainline and the Midland Mainline. London Luton Airport is also in close proximity.
- 2.2 Much of the rural area is of high landscape and biodiversity value with extensive tracts of high-grade agricultural land. The Chilterns Area of Outstanding Natural Beauty covers a substantial part of the area while some land outside of the main towns and villages is designated as Green Belt.

3.0 Policy Framework and the requirement for a new Plan-making Programme

- 3.1 Following the formation of Central Bedfordshire Council as a unitary authority in April 2009, two separate Local Development Frameworks were progressed; one covering the area formerly administered by Mid Beds District Council and one covering Luton and the area formerly administered by South Beds District Council.
- 3.2 The withdrawal of the draft joint Luton and South Bedfordshire Core Strategy, and the publication of the draft Localism Bill and draft National Planning Policy Framework, means that the opportunity has arisen to consolidate the two separate frameworks into one. In the interim, the Development Plan for the former Mid Beds area will consist of the Regional Strategy, and the existing adopted Core Strategy and Development Management Policies DPD and Site Allocations DPD. For the former South Beds area, it will consist of the Regional Strategy and saved Structure Plan and Local Plan policies.

3.3 The decision to prepare a new plan for Central Bedfordshire means that a new LDS is required.

4.0 Proposed Development Plan Documents

4.1 This Programme focuses solely on the preparation of two Development Plan Documents (DPDs): the Central Bedfordshire Development Strategy and the Gypsy and Traveller Plan. The Council will also need to plan for the allocation of non-strategic scale sites, either through the preparation of Neighbourhood Plans or a Site Allocations plan. A decision regarding this issue will be made once the Localism Bill has been enacted and the National Planning Policy Framework agreed. Once a decision has been reached, a revision to this document may be required.

4.2 Following the Planning Act 2008, it is no longer necessary to include details of proposed Supplementary Planning Documents and other Local Development Documents within an LDS. Policies and designations will be illustrated on the Proposals Map which will be updated following adoption of each document.

Table 1: Central Bedfordshire Development Strategy

Central Bedfordshire Development Strategy	
Role and content	To set out the vision, strategic objectives and spatial strategy for the area up to 2031 and the policies for achieving the strategic vision. This will entail an assessment of general development needs together with the consideration of any necessary Green Belt reviews. The identification of strategic-scale development sites will also be considered.
Status	Development Plan Document
Chain of conformity	General conformity with regional and national planning guidance
Geographic coverage	The entire administrative area of Central Bedfordshire
Projected timetable and milestones	
Commencement (including SA Scoping Report)	September 2011
Evidence Gathering	October 2011 – April 2012
Consultation	May – June 2012
Consideration of consultation responses and produce revised Plan	July – November 2012
Publication stage	December 2012 – February 2013
Submission to Secretary of State	May 2013
Examination Hearings	September 2013
Receipt of Draft Inspector’s Report	December 2013
Adoption	February 2014

Arrangements for production	
Management arrangements	Decisions will be taken by Central Bedfordshire Council's Executive. Day to day management of process by Head of Development Planning and Housing Strategy.
Resources required	Officers from the Development Planning team with input as necessary from other teams and departments. Consultants may be used for specific aspects of the work.
Stakeholder and Community Involvement	The Statement of Community Involvement sets out the standard mechanisms for community involvement. This DPD will be prepared in light of the views of the community and other stakeholders
Monitoring and review mechanisms	Monitored on an annual basis as part of the Annual Monitoring Report.

Table 2: Gypsy and Traveller Plan

Gypsy and Traveller Plan	
Role and content	To identify the Council's approach to the provision of additional Gypsy and Traveller pitches and sites, including the allocation of new sites if required.
Status	Development Plan Document
Chain of conformity	Conformity with the Central Bedfordshire Development Strategy and general conformity with regional and national planning guidance
Geographic coverage	The entire administrative area of Central Bedfordshire
Projected timetable and milestones	
Commencement (including SA Scoping Report)	January 2012
Evidence Gathering	February – September 2012
Consultation	October - November 2012
Consideration of consultation responses and produce revised Plan	December 2012 – April 2013
Publication stage (Regulation 27)	May – June 2013
Submission to Secretary of State	September 2013
Examination Hearings	January 2014
Receipt of Draft Inspector's Report	April 2014
Adoption	June 2014
Arrangements for production	
Management arrangements	Decisions will be taken by CBC Executive. Day to day management of process by Head of Development Planning and Housing Strategy.

Resources required	Officers from the Development Planning team with input as necessary from other teams and departments. Consultants may be used for specific aspects of the work.
Stakeholder and Community Involvement	The Statement of Community Involvement sets out the standard mechanisms for community involvement. This DPD will be prepared in light of the views of the community and other stakeholders
Monitoring and review mechanisms	Monitored on an annual basis as part of the Annual Monitoring Report.

- 4.3 In order to inform the preparation of policy documents, the Council has undertaken a large number of background technical studies. These will be refreshed and updated periodically as necessary. In preparing these policy documents, the Council will have regard to a number of different strategies. These include the Sustainable Community Strategy (SCS) and others covering topic areas such as education, health, social inclusion, waste, biodiversity, recycling and environmental protection, local housing strategies and transport plans.
- 4.4 The Council will seek to work closely with neighbouring authorities on the preparation of policy documents. Technical studies maybe undertaken jointly where this is deemed to be appropriate.

5.0 Project Management

- 5.1 In order to ensure that the preparation of the Core Strategy is undertaken in a focussed and coherent manner, a project management approach is being taken to the coordination of the work. To this end a Plan-making Programme Project Management Gantt Chart has been drawn up. This is set out in Figure 1.
- 5.2 The Gantt Chart identifies how the documents will be prepared and when key milestones are expected to be met.
- 5.3 The project management approach, using the Project Management Gantt Chart, will enable the undertaking of clear and accurate monitoring which will inform the Annual Monitoring Report (AMR). This process will feed into the regular review of the Plan-making Programme and ensure that it continues to be relevant and up-to-date.

Figure 1: Timeline for plan preparation

	2011				2012												2013												2014																																																														
Month	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																																																				
Central Bedfordshire Development Strategy	Commencement	Evidence Gathering	Evidence Gathering	Evidence Gathering	Evidence Gathering	Evidence Gathering	Evidence Gathering	Evidence Gathering	Reg 25	Reg 25	Reg 25	Reg 25	Reg 25	Reg 25	Reg 25	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption													
Gypsy and Traveller Plan					Commencement	Evidence Gathering	Evidence Gathering	Evidence Gathering	Evidence Gathering	Evidence Gathering	Evidence Gathering	Evidence Gathering	Evidence Gathering	Evidence Gathering	Evidence Gathering	Reg 25	Reg 25	Reg 25	Reg 25	Reg 25	Reg 25	Reg 25	Reg 25	Reg 25	Reg 25	Reg 25	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Reg 27	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Submission	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Examination	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Inspector's Report	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption	Adoption

Development Plan Documents

- Commencement
- Evidence Gathering
- Formal Consultation (Reg 25)
- Consideration of consultation responses
- Publication stage (Reg 27)
- Submission
- Examination
- Inspectors Report
- Adoption

Commencement	Red
Evidence Gathering	Orange
Formal Consultation (Reg 25)	Blue (Reg 25)
Consideration of consultation responses	Yellow
Publication stage (Reg 27)	Pink (Reg 27)
Submission	Grey (S)
Examination	Cyan (E)
Inspectors Report	Green (R)
Adoption	Purple (A)

6.0 Risk Assessment

6.1 An analysis has been completed of the principal tasks associated with undertaking the preparation of planning policy documents. These risks, listed in Table 5 below, have been taken into consideration in devising this Programme and will be closely monitored.

Table 4: Key risks and mitigation measures

Key Risks/Owner	Action to Mitigate Risk and Comments	Risk Level
Challenging time-scales for preparing policy documents	<ol style="list-style-type: none"> Careful project management and regular review If necessary, adjustment of Programme through annual review. Prioritisation of other work <p>Uncertainty factors remain – e.g. the level of representations submitted on documents, time taken in Public Examination and reporting time, or if new issues arise requiring other documents to be prepared or the diversion of staff. Other factors identified in this assessment may also lead to delay to the timescales. There is no real slack in the timetable.</p>	Medium
Changing national policy context requiring reassessment of content of documents	<ol style="list-style-type: none"> Continual monitoring of planning policy climate Prompt action to align local policy 	High
Premature planning applications for sites resulting in staff being redeployed to deal with time-consuming appeals	<ol style="list-style-type: none"> Regular monitoring and review of progress with a view to delivery on schedule If necessary, allocate relevant officer(s) and/or appeals consultants. 	High
Too few staff, staff turnover, level of experience of staff and strong reliance on consultants	<ol style="list-style-type: none"> Scope for flexible use of staff from other teams Budget contingency fund 	Medium

Previously developed sites not being redeveloped because of lack of investment in essential infrastructure	Continue to exert pressure on government, Highways Agency and other bodies to ensure that essential infrastructure is in place and other blockages to development are removed to facilitate delivery . Current market downturn affects all development in the short term.	High
Financial resources	Regular budget monitoring.	Medium
Capacity of Planning Inspectorate (PINS) and other agencies to support the preparation of documents	Provide early warning to PINS and other agencies of timescales and requirements and develop good relationships with agencies through consultation.	Medium
Ensuring 'Soundness' of documents	Through preparing a good evidence base, good dialogue with the community/stakeholders in line with the SCI, regular liaison with Counsel and CLG.	Low
Legal Challenge	Through ensuring preparation of 'sound' documents.	Low

6.2 Plan-making bodies must prepare an Annual Monitoring Report (AMR) to assess their implementation of the plan-making, and the extent to which plan policies are being achieved. Such review will assess progress against targets and milestones in the Programme, with appropriate action being taken in the light of findings.

6.3 Changes to the Plan-making Programme will be reported in the AMR with complete revisions to the Programme only made where necessary.

7.0 Glossary

Development Plan: the Regional Spatial Strategy and the Development Plan Documents contained within a Local Development Framework constitute the statutory development plan.

Local Development Framework (LDF): a portfolio of Local Development Documents – it consists of Development Plan Documents, Supplementary Planning Documents, a Statement of Community Involvement, the Local Development Scheme and Annual Monitoring Reports

Local Development Document (LDD): the collective term for Development Plan Documents, Supplementary Planning Documents and the Statement of Community Involvement.

Development Plan Documents (DPD): a name given to a range of policy plans that are subject to independent examination, and are shown geographically on an adopted Proposals Map (discussed below).

Site Allocations: allocations of sites for specific or mixed uses or developments to be contained in Development Plan Documents. Policies will identify any specific requirements for individual proposals.

Development Management Policies: these constitute a suite of criteria-based policies, which are required to ensure that all development within an area meets the spatial vision and objectives set out in the Core Strategy. They may be included in any Development Plan Document or form a standalone document.

Proposals Map: the adopted proposals map illustrates on a base map at a registered scale all the policies contained in Development Plan Documents, together with any saved policies. It must be revised as each new Development Plan Document is adopted, and it should always reflect the up-to-date planning strategy for the area. Proposals for changes to the adopted proposals map accompany submitted development plan documents in the form of a submission proposals map.

Supplementary Planning Documents (SPD): provide supplementary information in respect of the policies in Development Plan Documents or a saved policy. They do not form part of the Development Plan and are not subject to independent examination.

Annual Monitoring Report (AMR): A public report to be produced by local authorities to assess their progress on implementation of the LDS and the effectiveness of the LDDs in terms of policy achievement.

Sustainability Appraisal (SA): a tool for appraising policies to ensure they reflect sustainable development objectives (i.e. social, environmental and economic factors) and required in the Act to be undertaken for all Local Development Documents (except the Statement of Community Involvement). This process incorporates the requirements of the Strategic Environmental Assessment Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

Examination: a local planning authority must submit a Development Plan Document for independent examination to the Secretary of State, publish a notice and invite representations, to be made within a specified period of at least six weeks.