



Doncaster
Council

Councillor Kevin Rodgers
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Date: 14th May 2019

Mayor Ros Jones
Floor 4
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Waterdale
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Dear Ros,

PUBLICATION (REGULATION 19) OF THE DONCASTER LOCAL PLAN 2015-2035

I wish to inform you of the outcome of the Overview and Scrutiny Management Committee meeting held on 7th May to consider the draft Local plan.

In accordance with the Budget and Policy Framework Procedure Rules, the Committee undertook a strategic overview focussing on the extent to which the Plan:

- Was consistent with relevant legislation, guidance, locally agreed policies and relevant evidence;
- Would support the physical development of and meet the Borough's wider objectives and ambitions; and
- Had provided an opportunity to seek the views of all relevant groups and stakeholders and demonstrated that issues raised through consultation and engagement had been taken in to account.

The meeting did not set out to undertake a review of individual sites or allocations or provide a forum to repeat specific elements of the individual consultation exercises. However, prior to and during the meeting Members were reminded that any concerns, queries or issues relating to the Local Plan could be raised with officers for consideration before the Plan is considered by Cabinet or presented to Council. All Councillors were invited to attend the OSMC meeting and submit in advance of the meeting any questions they wished to raise. I have attached for your information a copy of both questions and responses.

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I have detailed below in bold text, the recommendations agreed at the meeting with relevant commentary underneath:

Consultation:

Recommendation 1: That the Local Plan consultation process be reviewed to identify how future consultation and engagement and the involvement of elected Members on major policies and Plans could be improved.

Recommendation 2: That further liaison be undertaken with the Communications Team to support future engagement processes and our duty to consult in respect of the Local Plan.

OSMC recognised the challenges of undertaking effective Borough wide consultation and engagement and receiving feedback on such a complex Plan. It was also recognised that as the Plan had been developed following a number of consultation exercises undertaken over the past 5 years, there was likely to be variations in effectiveness and engagement associated with each consultation exercise. In respect of widening the number of targeted groups of consultees, it was suggested that utilising contact deals and seeking advice from the Council's Communications Team would be beneficial.

Notwithstanding the difficulties of actively engaging residents in meaningful consultation it was recognised there were a number of examples where consultation had taken place where there was no statutory requirement to do so, e.g. Site Selection Methodologies, Homes and Settlements etc. and this was seen as a positive step.

Brexit:

Recommendation 3: That the Local Plan make reference, as best we know, to the potential impacts of Brexit particularly as a potential risk and/or impact this may have on our economy and the Local Plan.

The Committee acknowledged the impact of Brexit on the Local Plan was an unknown. However, it recommended that this should be referred to and acknowledged in the Local Plan for completeness. The Committee recognised that flexibility existed to review the Plan to ensure it remained responsive to any significant changes that may arise from Brexit.

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Flood Risk:

Recommendation 4: That a report be presented to a future Overview and Scrutiny meeting updating on work being undertaken to improve flood infrastructure and to address flooding issues across the Borough.

Discussion took place in respect of the impact of flooding and how this restricted development in certain areas of the Borough. The Committee was informed that the Council's Drainage Team was working with the Portfolio Holder for Communities, Voluntary Sector and the Environment to identify the availability of Environment Agency funding to bring about improvements to strategic flooding infrastructure, which may ultimately affect the Borough's flood zone maps.

Public Health:

Recommendation 5: That the use of electoral ward as the defined area in relation to restriction of hot food take-aways and fast food outlets be amended to another more appropriate measure.

Policy 25: Food and Drink Uses paragraph 8.27 of the draft Local Plan states "Planning Permission will not be supported for A5 use in *Wards* where there is more than 10% of the Year 6 Pupils classed as obese. "

Concern was raised that due to the differing size and diversity of many of our wards this geographical measure may not be consistent across the Borough or have the desired impact. It was recommended that an alternative measure be identified to take account of ward differentials.

The Committee also acknowledged the positive involvement of Public Health within the drafting of the Local Plan.

Reviewing & Monitoring:

Recommendation 6: That the Annual Monitoring Report be presented to Overview and Scrutiny to provide an opportunity for Members to consider the performance and effectiveness of the Local Plan and the extent to which it continues to meet the Borough's needs and objectives.

OSMC received examples of how the Plan had taken account of some of the Borough's key challenges e.g. balancing physical growth against environmental impacts, the need for effective transport and accessibility across the Borough to deliver jobs for our communities, etc. It also recognised the Plan was flexible and responsive to significant changes and could be reviewed to take account of these.

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To ensure elected Members remain engaged and have the opportunity to review how the Local Plan continues to meet the needs of the Borough, the Committee suggested the Annual Monitoring Report be considered at a future OSMC meeting.

On behalf of the Committee, I would like to take this opportunity to thank Scott Cardwell, Jane Stimpson, Jonathon Clarke and Roy Sykes for attending the meeting and responding to the questions and issues raised by Members.

I would be grateful if you could consider OSMC's recommendations and provide the new Chair of OSMC with a written response to the issues raised by 15th June.

Kind regards,

Councillor Kevin Rodgers
Chair of the Overview and Scrutiny Management Committee

cc OSMC Members
Cabinet Members
Jo Miller, Directors and BAs.
Scott Fawcus, Assistant Director - Legal & Democratic Services
Scott Cardwell, Assistant Director of Development



Doncaster
Council

Councillor Jane Kidd
Chair
Overview and Scrutiny Panel
c/o Scrutiny Office

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Date: 5th June 2019

Dear Jane

PUBLICATION (REGULATION 19) OF THE DONCASTER LOCAL PLAN 2015-2035

Please accept this letter as a response to the letter dated 14th May 2019, sent from Councillor Kevin Rodgers as former Chair of the Overview & Scrutiny Management Committee.

Firstly, please may I take this opportunity to thank Members of the Scrutiny Panel for looking into the process of this important emerging plan for the Borough at the session held on the 7th May 2019. May I also thank you for the number of recommendations that the Committee have put forward and which I have read with interest. I am now in a position to be able to respond to the recommendations as follows:

Consultation:

Recommendation 1: That the Local Plan consultation process be reviewed to identify how future consultation and engagement and the involvement of elected Members on major policies and Plans could be improved.

I am aware of the concerns that have been raised by some elected Members that they do not feel as engaged as they need to be with the draft Local Plan and the request of the Planning Committee to meet with myself and Cabinet, in respect of the process so far. The Committee's recommendation reinforces this position further.

Please therefore be assured that I took immediate steps to remedy this to allow for this meeting, and also offering several dates for further seminars. This therefore required the provisional date for it to go to Full Council to be altered, and so the draft Local Plan will not now go to the Extraordinary Meeting of Full Council on 6th June 2019. I have agreed a revised timescale, and the Local Plan will now be considered at Cabinet on the 2nd July and at Full Council on the 18th July.

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The series of all Member seminars are to be held during June 2019, and invitations have already been sent out to these events where members of the Local Plan's Team will be available to provide further information on the Local Plan's process and progress to date. Officers at the seminars will be very happy to field any enquiries and follow-up on any outstanding issues that elected Members may have. The seminars have been arranged over a series of different days of the week, and include both daytime and evening sessions, to provide as much flexibility for attendance as possible. I trust you will agree with me that this should address the concerns raised about the lack of opportunity, and the short timescales, for elected Members to engage on the draft Local Plan document.

Recommendation 2: That further liaison be undertaken with the Communications Team to support future engagement processes and our duty to consult in respect of the Local Plan.

I am pleased that the Committee has recognised that consultation to date has far exceeded the bare minimum statutory requirements. Part of the logic for doing so has been to try and break down what is otherwise a large and complex process into more bite sized and accessible stages for our communities and stakeholders to engage with us on. Notwithstanding this, I acknowledge that we can always do more and learn lessons from the past when it comes to consultation.

For example, I specifically asked officers to invest significant resources into engaging with Town and Parish Councils throughout the preparation of the Local Plan, and in order to help them bring forward Neighbourhood Plans to have more of a say and control over how communities want to develop their areas in the future. This has generally been very well received, with the majority of Town and Parish Councils taking the opportunity to accept officer's invitations to attend meetings and actively engage with the Local Plan in return. There are also eleven Neighbourhood Plans being prepared by our Town and Parish Councils to date, with four already adopted. I would welcome and encourage more areas to follow suit with Planning officers being available and willing to continue to support the growing neighbourhood planning agenda in Doncaster.

That said, it has been acknowledged that the consultation to date could have done more to actively engage with certain hard to reach groups within our communities, and there will be expertise elsewhere within the Council that will be well placed to assist with such activity, such as the Communications Team, which you specifically reference. Letters and response forms for the statutory publication stage are already being worked up with colleagues in our Communications Team. We are going to great lengths to try and strike an appropriate balance between the technical requirements of this stage of the process, whilst making it as user friendly as possible, especially for our communities and residents who are less familiar with the process. The Local Plan Team will continue to engage with colleagues in Communications on all subsequent stages of the Local Plan, including in respect to press releases and whether documents can be provided with additional information for anybody who needs to request the plan in a different language/format.

Brexit:

Recommendation 3: That the Local Plan make reference, as best we know, to the potential impacts of Brexit particularly as a potential risk and/or impact this may have on our economy and the Local Plan.

As the Committee has identified, the Local Plan has, and will continue to be, prepared during a time of significant uncertainty around the potential risks and impacts to our economy from

Brexit. Although this matter is well documented in much of the evidence base that has informed the Local Plan, I accept that there has been no real direct recognition of this in the actual Local Plan document itself, which is perhaps an oversight.

Only time will tell what the actual long-term effects from Britain exiting the European Union will be, with much speculation and contradictory economic growth projections in the interim. However, I feel it would only be responsible to make it crystal clear that the Local Plan has been drawn up under this period of significant uncertainty and as the Committee has identified through this recommendation. To rectify this, I have instructed officers to provide additional text in the actual Local Plan document itself to cover this. The amended draft Local Plan that will be taken to Full Council will have the additional following text as part of the many reasons why there could be a need to review the Local Plan in the future when a fuller understanding is known.

“The Plan has been drafted in the uncertain climate following the Brexit referendum in 2016. Brexit has posed a number of challenges in undertaking forecasting of economic growth and there are hugely opposing views on what the impacts will be on economic growth, trade and investment decisions at the national, regional and local levels.”

Flood Risk:

Recommendation 4: That a report be presented to a future Overview and Scrutiny meeting updating on work being undertaken to improve flood infrastructure and to address flooding issues across the Borough.

Members of the Local Plan Team have liaised with colleagues in the Council's Lead Local Flood Authority (LLFA) in respect of this recommendation, and officers will be happy to attend a future meeting of Overview & Scrutiny in due course to update on such matters. It is worth noting that officers from the Council (LLFA, Local Plans Team, Emergency Planning etc.) attended a number of Scrutiny sessions in 2018, alongside colleagues from the Environment Agency and other authorities involved in flood risk management, to specifically update on progress since the significant flood events of summer 2017 and 2018. Such a multi-disciplinary and cross-organisational approach to this important matter for the Borough could be replicated again for Scrutiny.

Public Health:

Recommendation 5: That the use of electoral ward as the defined area in relation to restriction of hot food takeaways and fast food outlets be amended to another more appropriate measure.

Improving the health of our borough, especially younger people, is one of my main priorities, and Planning has an increasing role to play in addressing these issues, so I welcome your observations that officers have worked closely with colleagues in Public Health on the drafting of this policy, as well as others in the Local Plan and its evidence base.

I understand the concern that using data at a ward level may, due to the averaging out effect, disguise pockets of obesity within a particular ward where there can be significant variations and diversity in levels of health between communities and Neighbourhoods. It is logical therefore to consider whether a smaller scale of geography, such as community profile area, would be a stronger policy approach to adopt through the Local Plan (Policy 25: Food & Drink Uses) rather than ward level data as drafted in the policy.

Using the ward data as per the draft Policy, then the data currently shows that the policy would apply to every ward in the borough as all wards are significantly above the 10% threshold. The policy would be that there is no support for further hot food takeaways anywhere in the Borough which is, of course, advocated by Public Health and has also been supported by me and my Cabinet as the appropriate policy approach to help combat our obesity challenges as part of a wider multi-disciplinary response.

Looking at the smaller spatial scale (e.g. community profile area), then the figures could allow hot food takeaways to be supported in some areas as the data has limitations in some instances, and in others the 10% threshold is more borderline. As such, changing the policy to a geography smaller than ward boundary would mean the policy approach would be more supportive and converse therefore to what is being asked for through this recommendation.

Reviewing & Monitoring:

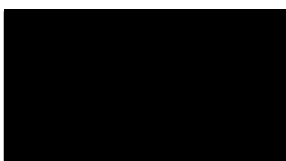
Recommendation 6: That the Annual Monitoring Report be presented to Overview and Scrutiny to provide an opportunity for Members to consider the performance and effectiveness of the Local Plan and the extent to which it continues to meet the Borough's needs and objectives.

Following adoption of the Local Plan, an Annual Monitoring Report must be prepared each December. The Report will monitor the plan's progress using the comprehensive set of indicators as itemised at Appendix 10 of the draft Local Plan. This report will identify which of the plan's policies are working well/not so well, and is therefore one of the main mechanisms to establish if and when a review of the plan may be required. Examples of the monitoring indicators include the number of housing completions compared to annual target, take up of employment land, number of jobs created, how much development on brownfield land, progress in delivery of key infrastructure projects, health inequalities, amount of new greenspace delivered, and so forth.

An annual update/progress report can therefore be taken to OSMC each year, as soon as practicably possible after the monitoring is completed, with recommendations of whether the circumstances have arisen to justify a (part) review of the plan. Officers in the Local Plans Team will liaise with Democratic Services in due course to ensure this recommendation is embedded in OSMC's future work programme.

I trust the above is helpful, and thank you once again for the Panel's consideration.

Yours sincerely



Ros Jones
Mayor of Doncaster