



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

to
STRATEGY AND RESOURCES COMMITTEE
26 JANUARY 2023

**STATEMENT OF CONSULTATION – LOCAL DEVELOPMENT PLAN REVIEW:
ISSUES AND OPTIONS DOCUMENT**

1. PURPOSE OF THE REPORT

- 1.1 The purposes of this report are for the Committee to consider the Statement of Consultation in regard to the Regulation 18 Issues and Options Document which was subject to public consultation between the 17 January 2022 and 14 March 2022. The decision this report recommends will support the delivery of a lawful and sound Maldon District Local Development Plan Review. The Statement of Consultation is appended to this report at **APPENDIX 1**.

2. RECOMMENDATION

To the Council:

That the Statement of Consultation on the Maldon District Local Development Plan Review - Regulation 18 Issues and Options Document be approved.

3. BACKGROUND

- 3.1 On 23 February 2021, the Council approved a review of the Maldon District Local Development Plan (LDP) through the issuing of an updated Local Development Scheme.
- 3.2 There is considerable flexibility open to local planning authorities in how they carry out the initial stages of LDP production, provided they comply with the specific requirements in Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This Regulation sets out that the Local Planning Authority must notify specific organisations and persons that they propose to prepare an LDP and to invite them to make representations about what the LDP ought to contain. Regulation 18 is in accordance with the approved Maldon District Local Development Plan Review methodology that was considered positively at an extraordinary meeting of the Council on 3 November 2022.
- 3.3 Developing a LDP Review should be shaped by early, proportionate, and effective engagement between the Council and communities, local organisations, businesses, statutory consultees, infrastructure providers and operators. The Strategy and Resources Committee resolved to approve the Maldon District LDP Review Issues and Options Document on 16 September 2021 and consult on it (Minute No. 281 refers). The decision to consult was due to be presented to the Council on 4 November 2021, but the meeting closed early. It was due to be presented again to Council on 16 December 2021, however this meeting also closed early. In turn the

decision to go out to public consultation in line with the Strategy and Resources Committee resolution was made by the Director of Strategy, Performance and Governance using emergency powers (Minute No. 420 refers), in consultation with the then Leader Designate and Chairman of the Council on 23 December 2022.

- 3.4 The Council undertook the public consultation formally between 17 January 2022 and 14 March 2022 in accordance with Regulation 18 of the Town and Country Planning (Local Development) (England) Regulations 2012 and the Maldon District Statement of Community Involvement (SCI). The Council was seeking the initial views of the District's varied communities and external stakeholders to cover a LDP Review period for the next 20 years from 2023 to 2043. This stage in the process also provided an opportunity for the Council to seek views on seven broad Spatial Options that could be looked at in more detail in the future to determine if they were appropriate to accommodate the District's new development needs and on which to base its reviewed planning policies.
- 3.5 490 representations, containing 23,400 responses were submitted, including the public, statutory consultees such as Essex County Council (**APPENDIX 2**), Parish Councils, neighbouring local authorities, the NHS, Environment Agency and Marine Management Organisation and special interest groups such as developers and landowners. Officers have read and reviewed all the responses submitted during the consultation period and drafted suitable recommended responses to them which will be issued to the responders subject to approval by the Council. These responses are available to view in the [Mod.Gov library](https://democracy.maldon.gov.uk/ecSDDisplay.aspx?NAME=Public%20Consultation%20Responses&ID=736&RPID=505252866) on the Council's website (<https://democracy.maldon.gov.uk/ecSDDisplay.aspx?NAME=Public%20Consultation%20Responses&ID=736&RPID=505252866>).

4. SUMMARY OF KEY ISSUES

- 4.1 The Issues and Options Consultation Document 2021 set out the following;
- A spatial picture of the District.
 - The issues purporting to affect the District.
 - A Vision for the District to 2043.
 - A series of objectives or goals which are linked to the delivery of the Vision. These should be clear so that they can assist in the monitoring of the effectiveness in terms of delivery of the policies in the Plan.
 - The Plan Period of the Local Development Plan. The consultation document sets out a plan period of 20 years, 2023 – 2043.
 - The Housing Delivery Target for the plan period utilising the Government's standard method for its calculation and tested through the 2020 Maldon District Local Housing Needs Assessment.
 - Revised draft Settlement Hierarchy / Pattern.
 - A wide range of Spatial Options for the delivery of both housing and economic growth over the plan period.
 - A series of consultation questions associated with the key subjects of the review and their issues.
- 4.2 The purpose of the public engagement regarding the Issues and Options Document was to start a discussion with our communities, businesses and statutory partners about what the future of the District might look like. It was intended to focus on core

thematic issues and questions, rather than covering every eventuality or issue, or focussing on technical planning or statutory requirements.

- 4.3 The Council will use the Statement of Consultation and consultation responses in the continuing work of the LDP Review as it moves forward towards the next Regulation 18 stage of Preferred Options.

5. CONCLUSION

- 5.1 The approval of the Statement of Consultation for the Regulation 18 Issues and Options Consultation is a part of Council's methodology of the review of the LDP. This process will be repeated for every consultation that is undertaken for the review and allows the Council to see each consultation response and consider the Council's response. The Statement of Consultation will need to be published on the Council's website once approved and will form part of the consultation and engagement evidence submitted alongside the LDP Review for examination.

6. IMPACT ON STRATEGIC THEMES

- 6.1 The Strategic Themes of Place, Prosperity and Community seek to manage the Council's response to strategic issues facing the District. The Issues and Options Document consultation has assisted the council to start preparations of its LDP Review by canvassing for opinion on key issues facing the District.

7. IMPLICATIONS

- (i) **Impact on Customers** – The Issues and Options Document consultation enabled those that wished to engage in the Local Development Plan Review process to do so and influence the creation of a more robust plan.
- (ii) **Impact on Equalities** – The LDP Review will include an Equalities Impact Assessment (EQIA) as part of its evidence base to inform preparation of policies that meet the requirements of the Equality Act 2010. The Issues and Options Document was subject to an EQIA which was considered prior to Strategy and Resources Committee approval in September 2021.
- (iii) **Impact on Risk** – The Issues and Options consultation has helped to reduce the risk that the LDP Review will fail its legal duties regarding the engagement process, this would not be resolvable at the Examination in Public and could result in the Plan being found unlawful and necessary to withdraw. It also ensures that the project maximises opportunities presented to the District by development, growth and the town and country planning system.
- (iv) **Impact on Resources (financial)** – The LDP Review and Local Development Scheme had a programme budget agreed at Council on 23 February 2021. The Issues and Options Document consultation was met from that budget and did not increase the need for resources.
- (v) **Impact on Resources (human)** – The Issues and Options Document consultation did not cause a negative impact on human resources, it was delivered and supported by existing officers and Members.

- (vi) **Impact on the Environment** – The Issues and Options Document consultation helped to ensure any environmental issues and questions are raised and considered as early as possible in the LDP Review process and maximise the opportunity they can positively influence the formulation of the final plan.
- (vii) **Impact on Strengthening Communities** - The Issues and Options Document consultation will help to engage with the District's diverse communities and ensure that their issues and concerns can be considered as early as possible in the formulation of the LDP Review.

Background Papers:

A list of the consultation questions is attached at **APPENDIX 3**.

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