

**REIGATE AND BANSTEAD BOROUGH COUNCIL**  
**OVERVIEW AND SCRUTINY COMMITTEE**  
**LOCAL DEVELOPMENT FRAMEWORK SCRUTINY REVIEW PANEL**

**Notes of the meeting held at  
6.40 pm on 2 October 2017**

Present: Councillor Mark Brunt (Chairman)  
Councillors Rosemary Absalom, Michael Blacker and Michael Selby

Also present: Councillor Jonathan Essex

Officers: Luci Mould, Philip James, Rosanna Sterry and Donna Coulon

**1. APOLOGIES FOR ABSENCE**

1.1 Councillor Steve McKenna (panel member) and Councillor Foreman (Executive Member).

**2. ROLE OF THE SCRUTINY PANEL**

2.1 The role of the LDF Scrutiny Panel was reiterated, its main objective being to examine the principles and processes underlining the preparation of planning policy documents.

2.2 The Panel agreed that its focus for this meeting should be to examine progress with preparation of the DMP Regulation 19 consultation document.

2.3 The Panel noted for the record that its role was to ensure that the document followed good practice in its preparation rather than any examination of its technical content.

**3. INTRODUCTION TO THE REGULATION 19 CONSULTATION DOCUMENT**

3.1 The Panel received a presentation outlining progress with the Regulation 19 Development Management Plan (DMP) consultation document.

3.2 It was noted that the Regulation 19 document was in the final stages of preparation, drawing upon the outcomes of the Regulation 18 consultation exercise held between August and October 2016, as well as further evidence gathering and member engagement.

3.3 In total, 1141 responses had been received from the Regulation 18 consultation and taken on board in preparation of the Regulation 19 document. All relevant Duty to Co-operate bodies had been consulted and a series of briefing sessions with members had been held throughout 2016, with all comments being taken into consideration.

- 3.4 Neighbouring authorities were also being closely consulted with as the Inspector had previously made it clear that this should form an integral part of the process. The aim was to reach consensus so that, if/when invited to attend the public examinations, neighbouring authorities would be in support of each other.
- 3.5 New evidence collated and included within the Regulation 19 document covered study and assessment of the following topics:
- strategic employment land
  - strategic flood risk
  - transport
  - open space
  - infrastructure delivery
  - viability
  - gypsy and traveller site land availability
  - safeguarding land
  - sustainability
- 3.6 Policies for Conservation Areas would not change nor would the stance of the council to maintain and enhance the historic and architectural character, appearance and local distinctiveness of these areas. There would be a heritage policy in the Plan to reflect this statutory requirement.
- 3.7 As far as possible, the DMP was being future-proofed, with changes in national policy on the definition of affordable housing already anticipated, as well as a forthcoming White Paper. The Regulation 19 document would be kept under close review although the timing of changes in government policy could not always be foreseen.
- 3.8 Officers, in consultation with Councillor Foreman, would be responding to the current government consultation on the Housing White Paper (including Objectively Assessed Needs (OAN) calculations). It was noted that there was a risk of the authority's housing target, being planned for in the DMP, to be increased if the Plan was not submitted by 31 March 2018.
- 3.9 A review of the existing Core Strategy was due to commence in 2018, meaning that a review of the Local Plan would follow closely upon submission of the DMP. It was important for all planning policy to be monitored regularly to ensure that it was current, robust and sound as it provided the best defence for the Council to counter appeals against decisions.
- 3.10 The Regulation 19 consultation period would run for six weeks, beginning in January 2018. Guidance on the format of the representation forms would be made widely available on the council's web site and at other outlets. The Council is required to identify the main issues arising from publication of the Draft Plan which will then accompany the Plan, Policies Map, representations duly made and other documents required by the regulations and good practice for submission to the Planning Inspectorate. The Issues summary and the Regulation 20 representations would be presented to the Executive prior to submission.

3.11 The role of the Inspector would then be to examine it to ensure that the DMP and Policies Map are legally compliant and sound.

3.12 Should the Inspector object to anything within the Plan, he would be governed by the Practice Guidance of the Planning Inspectorate which allowed for two types of change:

- *Major modification*

Any such changes proposed during the enquiry would result in the hearing being suspended, usually for six weeks, for further consultation.

Alternatively, changes agreed with the Council and then subject to consultation may be proposed in the Inspector's final report to the Council.

- *Minor modification*

Smaller, or consequential changes, may be put forward by the authority, good practice being to consult on these at the same time as any major modifications.

3.13 Following submission and adoption of the DMP, the whole suite of supplementary planning documents would then be reviewed and updated as appropriate.

3.14 During the ensuing discussion, the following points were noted:

- The Panel did not feel able to complete its assessment without having had sight of the consultation statement setting out how Regulation 18 responses have been addressed, this being a background document to the Regulation 19 consultation)
- Although the Panel was clear on its remit, and that it was not to analyse or comment on the technical content of the plan, it was important that it should be able to compare the Regulation 18 findings against the Regulation 19 consultation document to assure itself that all relevant responses have been followed through.
- There was some discussion on whether the Panel should take a more in-depth review of the content of the Regulation 19 consultation document and it was agreed that the remit of the Panel was a matter for the Overview and Scrutiny Committee to determine.
- The Regulation 19 document would be tracked to highlight changes and divided into topic areas to facilitate comparison with the Regulation 18 consultation responses.
- The report to the Executive on 9 November would be accompanied by a consultation statement outlining all the relevant changes.

#### **4. CONCLUSIONS**

- 4.1 The Panel thanked the Officers for the presentation and for responding to their questions.
- 4.2 The Panel noted that the consultation responses document would be circulated to them as soon as it became available and anticipated to be by end of the week.
- 4.3 The Panel agreed to meet again, at 6.30 pm on Thursday 12 October, in order to conclude its review of the preparation process for the Regulation 19 consultation document.
- 4.4 The Panel agreed that Councillor Brunt would then make a verbal presentation, giving its recommendations to the Overview and Scrutiny Committee at its meeting on 12 October.

#### **5. OBJECTIVES**

- 5.1 Moving forward, the Panel agreed that it would be useful for it to meet towards the middle of January 2018, after publication of the submission document, to review the ongoing process.
- 5.2 It was noted that all councillors, as well as members of the public, would be able to respond to the consultation which would be made available on the Council website as well as local libraries and other key locations.

#### **6. ANY OTHER BUSINESS**

- 6.1 None.

#### **7. DATES OF FUTURE MEETINGS OF THE PANEL**

- 7.1 The Panel noted that it would be meeting at 6.30 pm on Thursday 12 October.
- 7.2 A future meeting was also to be organised for late January 2018.

**The meeting closed at 7.50 pm**