



Replacement Local Development Plan 2018-2033

Delivery Agreement

May 2018

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1. INTRODUCTION

- 1.1 On 24th October 2013, Conwy County Borough Council resolved to adopt the Local Development Plan 2007-2022. The LDP Plan Area is Conwy County Borough, excluding that part of the authority which falls within the Snowdonia National Park. Since LDP adoption, three Annual Monitoring Reports have been published. The 2016 AMR recommended commencing a full review of the LDP, primarily due to issues relating to housing and employment supply. In addition, as of October 2017 it is four years since the LDP was adopted, so a Review is required in accordance with Regulation 41. The replacement LDP will have a plan period of 15 years, running from 1st April 2018 to 31st March 2033. This matches the formal start of the LDP process and is aligned with the JHLAS and AMR monitoring periods.
- 1.2 The LDP Review Report contains full details on the reasons for review and was published for public consultation in November 2017. Until the LDP Review is complete and the Replacement Local Development Plan (RLDP) is adopted, the LDP 2007-2022 will remain the statutory Development Plan for development management purposes. It is imperative that the RLDP is adopted in as short a timescale as is realistically possible, in order to address the issues raised in the Review Report.
- 1.3 In accordance with the LDP Regulations 6, 8 and 9 and the LDP Manual paragraph 4.1.2, this draft Delivery Agreement sets out:
- the **Timetable** for preparing the Conwy Replacement Local Development Plan (RLDP); and
 - the **Community Involvement Scheme** (CIS), detailing how and when stakeholders and members of the public can contribute to the LDP process.
- 1.4 This draft Delivery Agreement will be subject to consultation with key stakeholders (see Appendix 6), and following agreement with WG will be made available on the Council's website and on public access computers at libraries and Council offices.

2. TIMETABLE

- 2.1 This timetable sets out what the Council considers to be a challenging, but realistic, timeframe for preparing a replacement LDP. In preparing the timetable regard has been had to the Welsh Government's expectation that a replacement plan be prepared in considerably less than 4 years, taking in to account the resources available to the Local Planning Authority. In her letter dated 29th March, the Minister stated her expectation that plan preparation would be achieved within 3.5 years from commencement of the process. The timetable for Conwy's LDP preparation meets this requirement, allowing a period of 3 years and 4 months. This runs from submission of the Delivery Agreement to Welsh Government in May 2018 to adoption in September 2021.
- 2.2 It is acknowledged that the adopted LDP took considerably longer than 4 years to prepare, and the process included two Deposit stages. This must not, and will not be replicated in the production of the RLDP. Having been through the LDP production process once, Conwy CBC benefit from having established governance and Planning Policy team experienced in delivering an LDP, meaning the process can be undertaken far more quickly second time around. In addition, the workload required to update existing evidence base and revise the LDP policies through a full review is significantly less than that which was needed when the LDP was first produced.
- 2.3 The timetable takes account of the stages required in revision of the LDP, in accordance with the Regulations including timescales for consultation; the governance arrangements in place and the lead times to allow key elements of the LDP to pass through the democratic process; the work required in updating evidence base and policies and the resources available to the Planning Policy team. Further detail relating to these considerations can be found in the Appendices.
- 2.4 Every effort will be made to keep to the timetable in this Delivery Agreement, however it is acknowledged that circumstances may arise which may mean that the timetable can't be adhered to. To avoid formal amendment to the timetable due to minor delays in the LDP process, it is proposed to make a 3 month allowance for slippage. A definitive timetable is provided for the stages up to LDP Deposit, with indicative timescales provided for post-Deposit stages; an update to this DA closer to the time will provide more accurate dates for the latter stages.

Table 2.1: DEFINITIVE TIMETABLE		
Key stage in Plan Preparation	Timescale	
	From	To
Review Report <ul style="list-style-type: none"> • Consider conclusions of AMR • Prepare Review Report & appendices • Publish for public consultation • Submit to Welsh Government 	July 2017	April 2018
	Public consultation November – December 2017	
Delivery Agreement <ul style="list-style-type: none"> • Prepare draft DA and report to Cabinet • Consult with key stakeholders • Submit to WG for agreement 	October 2017	May 2018
	Cabinet 27 th February 2018 Submit to WG April 2018 DA Agreed May 2018	
Pre-Deposit Participation <ul style="list-style-type: none"> • Review/update evidence base • Call for candidate sites 	May 2018	November 2018
Pre-Deposit consultation <ul style="list-style-type: none"> • Identification and assessment of strategic options • Preparation of Preferred Strategy, SA/SEA initial report and HRA • Report Preferred Strategy to Full Council • Public Consultation • Prepare Initial Consultation Report 	December 2018	August 2019
	Full Council in May 2019 Public Consultation June – July 2019	
Deposit LDP <ul style="list-style-type: none"> • Preparation of Deposit Plan, updated SA/SEA and HRA • Report Deposit LDP to Full Council • Public consultation on Deposit Plan • Prepare consultation report 	September 2019	May 2020
	Full Council December 2019 Public Consultation Jan – Feb 2020	

Table 2.2: INDICATIVE TIMETABLE		
Key stage in Plan Preparation	Timescale	
	From	To
Focussed Changes (if required) <ul style="list-style-type: none"> • Based on outcome of Deposit consultation, identify whether focussed changes are needed • Prepare focussed changes documents • Focussed Changes consultation • Produce Focussed Changes consultation report 	May 2020	July 2020
Submission <ul style="list-style-type: none"> • Prepare LDP documents for submission • Submit LDP to WG and PINS 	August 2020	September 2020
	Submission September 2020	
Examination and Adoption <ul style="list-style-type: none"> • Examination in Public • Preparation of Inspector's Report • Receive Inspector's Report • To Full Council for adoption 	October 2020	September 2021
	Adoption September 2021	
LDP Monitoring <ul style="list-style-type: none"> • Annual Monitoring Report to be published annually, for each full year following adoption of RLDP 	April 2022	March 2023
	First RLDP monitoring period; AMRs to be submitted by 31 st October each year.	

2.5 Another schedule has been provided at Appendix 5 to break down the above stages in more detail. However for the purposes of the Delivery Agreement, Appendix 5 should be seen as indicative; only the broad stage timescales in Table 2.1 form the Definitive Timetable for the requirements of Regulation 8.

3. THE COMMUNITY INVOLVEMENT SCHEME

- 3.1 A minimum level of consultation with key stakeholders and the public is set out in the Regulations and LDP Manual, as summarised in Appendix 2. In the interests of transparency, openness and as a customer-focussed organisation, Conwy CBC will aim to exceed these requirements. A range of consultation approaches and techniques will be used to encourage public engagement, to make the LDP process as accessible as possible and enable anyone to have their say.
- 3.2 In addition to the details published in this CIS, the Council will produce a Communication Plan, setting out in detail the consultation methods to be employed at each stage of LDP production. This will include a list of consultees, documents being consulted on and, where appropriate, the location where consultation events are taking place.
- 3.3 The method of consulting and dealing with representations outlined here relates to the LDP Review process, however it is anticipated that production of Supplementary Planning Guidance will also follow similar processes.
- 3.4 The aims of the CIS are:
- i) To detail how the development plan will be reviewed, developed and monitored in partnership with the community and other stakeholders.
 - ii) To improve the process of plan preparation by engaging with the public, involving them fully, effectively and inclusively in the review of the LDP.
 - iii) To seek to establish a consensus between stakeholders on the plan's aims and objectives and in its options and preferred strategy.
 - iv) To provide a transparent and structured process of engagement with the community, at all stages in the preparation of the RLDP.
 - v) To incorporate into the process best practice regarding sustainable development and the requirements of the Strategic Environmental Assessment (SEA) Directive.
 - vi) To detail how the Council will effectively engage with the community in the preparation of SPG that relates to the LDP.
 - vii) To use these processes to produce a sound plan.

Community Involvement Principles

3.5 The following principles show the overall approach to community involvement.

- i) Officers and members should ensure that the local community is continuously educated in the broad principles of the planning system as a continuing programme, but in particular during the pre-Deposit period. The Council will hold consultation events in the community and encourage the active participation of those with an interest in, or who may be affected by the RLDP.
- ii) All community involvement activities relating to land use planning should be an essential part of the Council's wider community planning process.
- iii) Stakeholders are actively involved in preparing, reviewing and updating development plan processes and policies.
- iv) Community involvement in the RLDP should be integrated with the established democratic process and elected members should have clearly defined roles in the review of the LDP.
- v) Information on planning issues is made available to stakeholders as soon as possible and in accessible formats.
- vi) As part of a two way process stakeholders are informed of the outcomes of community involvement exercises.
- vii) In preparing and undertaking community involvement, the Council will give adequate consideration to its available time and resources.

Process of Community Involvement

3.6 The Council is a customer focused organisation and will seek to understand and respond to customer needs through the consultation process on the RLDP; the objective being to forge and maintain effective links and structures with all stakeholders. The consultation methods and the range of bodies to be consulted will vary according to each stage of the consultation process (paragraph 4.6 and Appendix 1). This will continue in preparation of the replacement RLDP

3.7 In drawing up the list of consultation bodies, the Council has had regard to the *Local Development Plan Manual*, and the LDP Regulations (also see Appendices 2 & 6). The Council must engage with these general consultation

bodies as it considers appropriate and ensure that these bodies reflect the demographic diversity of the plan area, as well as the diversity of interests. Where appropriate, public consultation will take place at various locations across the County and in various formats in order to make the process more accessible to a wide range of people. The stages at which organisations and the general public will be involved are explained in paragraph 4.2.

- 3.8 Publicity will also be given through press releases and notices, where appropriate, on the Council's website and on social media accounts. There will be opportunities for other parties and the general public to make comments at critical stages. Local exhibitions will also be planned and advertised, where appropriate, to provide face to face public participation. Where timing permits, adverts detailing consultation stages and methods will be sent out using the Council's Bulletin Magazine which is sent to every household in the county.
- 3.9 It is intended that the Sustainability Appraisal will be carried out jointly with the Strategic Environmental Assessment. It is a statutory requirement that there should be public consultation on the Strategic Environmental Assessment.
- 3.10 In accordance with the Council's Welsh Language Scheme and the Welsh Language (Wales) Measure Act 2011 public consultation exercises will be available bilingually.

Feedback methods

- 3.10 Consultation responses will be collated, and will then be considered by officers and members. In line with principle (vii) of paragraph 3.4, the participants will be informed within an appropriate timescale of the outcomes of the consultation exercises. Feedback takes the following forms:
- Acknowledgement letter / email;
 - Details of when and where the Representations Report can viewed;
 - Details of any decision / amendment made and supporting reasons for the decision following reports to Council committees.
 - Details of the next steps in the plan process.
 - The Council's website will be updated to inform the public of progress.

4 THE PLAN MAKING PROCESS

How consultation responses will be assessed

- 4.1 Summaries of consultation responses will be reported to the LDP Task and Finish Group. The responses will be assessed according to the following criteria:
- i) Does the response relate to a matter that is relevant to the RLDP?
 - ii) Is the response consistent with statutory matters to which the RLDP must have regard (for example, national policy and the available resources)?
 - iii) Is the response consistent with the criteria of the Sustainability Appraisal and Strategic Environmental Assessment?

The critical stages in the plan process

- 4.2 There will be a number of key stages at which interested parties can engage in the RLDP. The LDP Manual (2015) states that the full revision process is the same as for plan preparation (LDP Regulation 3(1)). Appendix 2 outlines the requirements for public and key stakeholder involvement under different regulations, while a list of proposed consultees can be found at Appendix 6. The consultation proposed at each stage of RLDP production is as follows:

i) *Review stage*

On 10th October 2017, the Council considered the draft LDP Review Report and agreed that a full review of the LDP was necessary. The LDP Review Report will be consulted upon and then submitted to WG prior to the commencement of the RLDP.

ii) *Delivery Agreement*

The Council has prepared this revised Delivery Agreement, consisting of the Timetable and Community Involvement Scheme. Key stakeholders will be consulted with, prior to its submission to WG for agreement.

iii) *Consultation on the method for producing the SA and SEA*

The Environmental Protection, Wales Regulations (2004) state that NRW and Cadw have a statutory role in the consultation process, due to their specialist knowledge in aspects of the environment. CCBC consider that Dwr Cymru

should also be involved in this process. These bodies will be consulted on both the scope and level of detail of the information to be included in the SEA.

iv) *Invite suggestions on site allocations*

The Council will contact developers, agents and bodies representing landowners, giving them an opportunity to suggest sites that might be suitable for development. The Council will publish an advertisement in local newspapers and on its website, giving the public an opportunity to make similar suggestions. The Council will inform those proposing site allocations that the allocation must be consistent with the objectives of achieving a sound plan.

v) *Pre-deposit participation*

These include the vision, strategic options, preferred strategy, key policies, the Sustainability Appraisal report, and the candidate sites register.

vi) *Pre-deposit public consultation*

The pre-deposit proposals consisted of the Council's preferred strategy, options and proposals for the RLDP, together with other relevant documents. The Council will make the pre-deposit proposals available on its website and on public access computers at public libraries and Council Offices

vii) *The Deposit LDP*

The Council will take the same steps to make the deposit available and to publicise it as for the pre-deposit proposals. In addition, the Council will display-notices on or adjoining sites proposed for allocation,

viii) *Examination*

The purpose of the examination is to ensure that the RLDP meets requirements of 'soundness', for example, in terms of coherence and consistency with matters to which it must have regard, such as national policy. An Inspector appointed by WG will carry out the examination. The Council will take the necessary steps to publicise the examination at least 6 weeks before it opens. Since the Inspector's report is binding, neither the Council nor the other parties will be able to influence the plan after the examination.

APPENDIX 1: GLOSSARY

CIS – Community Involvement Scheme: A statement of the how the Council will engage with stakeholders in preparing the LDP.

DA – Delivery Agreement: Before the Council can start substantial work on the LDP, it must enter into an agreement with the Welsh Government. This Agreement must include the timetable for preparing and adopting the plan as well as the Community Involvement Scheme.

Deposit – A formal stage at which individuals and organisations can make representations on the plan. Representations that relate to whether the plan is ‘sound’ (see definition below) can then be examined by an Inspector.

Examination – A process whereby an independent Inspector, appointed by the Welsh Assembly Government, considers whether the deposit plan meets the tests of ‘soundness’.

LDP – Local Development Plan: A development plan prepared under the Planning and Compulsory Purchase Act 2004 that will guide the type, location and scale of development. Decisions on all planning applications must be in accordance with the development plan, unless there are strong and relevant reasons for any variation.

RLDP – Replacement Local Development Plan: As above, but the name given to the emerging LDP whilst it is in the period of full review.

SDP – Strategic Development Plan: The Planning (Wales) Act gives the power (but not the requirement) for planning authorities to work together to produce an SDP to deal with strategic issues such as major housing or employment development.

Soundness – The consideration of representations made during and after the deposit stage of the plan will focus on whether the plan is ‘sound’. In other words, does the plan show good judgement, and can it be trusted. Draft guidelines propose that Inspectors should consider soundness under the three general headings of procedural soundness, coherence and consistency.

SA – Sustainability Appraisal: The Planning and Compulsory Purchase Act 2004 states that the authority must carry out an appraisal of the sustainability of the plan, and prepare a report on the findings of that appraisal. The purpose of SA is to promote sustainable development through better integration of sustainability considerations into the plan-making process.

SEA – Strategic Environmental Assessment: A formal procedure for assessing at the strategic level the effects of a proposed policy, programme or plan on the environment. European Directive 2001/42/EC and subordinate regulations require that an SEA be carried out on all development plans whose preparation commenced after 21 July 2004, or which will not be adopted until 21 July 2006.

SPG – Supplementary Planning Guidance: Guidance on policy issues in a form that is more detailed than what would be appropriate to include in a development plan. SPG must relate to development plan policies, and are a relevant consideration in determining planning applications.

Sustainable development: Development which meets present needs whilst striving equally to allow for those of future generations.

Task & Finish Group: The LDP Task & Finish Group has the remit of steering the process of preparing the LDP towards its adoption.

APPENDIX 2: SUMMARY OF REGULATIONS

This table provides an overview of the key stages which include publication or consultation on LDP documents and how they relate to the legislative framework; some of these stages will run concurrently. It is not intended to be a comprehensive list of regulations or the work involved in LDP preparation. Where consultees or timescales for consultation are provided, these are the minimum required by regulations; in practice these will be defined in accordance with the Council's Timetable, CIS and Communication Plan.

2004 Act	LDP Regs	SEA Regs	Hab Regs	LDP Manual	Stage
S70	41			10.1	Review Report – consultation with key stakeholders
S63	9			4	Delivery Agreement – discussion with statutory consultees/key stakeholders as appropriate
		9, 11			Determine if SA is required – consult with NRW & Cadw under Reg 9 to make determination; subsequently make available a copy of the determination to NRW & Cadw within 28 days; and within a further 14 days to the public
S61				5.3.1.6	Developing the Evidence Base – authorities could issue a 'call for evidence' to invite submission of information from third parties to inform the LDP strategy
		12		5.5.2	SA Scoping Report – Consultation with NRW & Cadw (5 weeks)
	14			5.3.4.4	Pre-deposit participation – formal call for candidate sites
	15	13	105	6.5	Pre-deposit public consultation – Publication of pre-deposit LDP documents to include public consultation on Preferred Strategy and related documents (6 weeks), initial SA Report (28 days minimum) and initial Habitat Regs Assessment (if appropriate)
	18	13	105	7.4	Deposit LDP – Publication and public consultation on Deposit LDP documents (6 weeks) including SA Report (28 days minimum) and Habitat Regs Assessment
				7.6	Focussed Changes – Non statutory stage for public consultation on late changes
S64 (1-3)	22			8.2	Submission – Publication of LDP documents, advertise that the LDP has been submitted for Examination and inform those who asked to be notified
S64 (4-7)	23			8.3.2	Examination – Advertise details of the LDP Examination in Public; representors to appear when invited by Inspector – all written representations will also be taken into account
S64 (8)	24			8.4.1	Inspector's Report – Publication of the Inspector's Binding Report and inform those who asked to be notified
S67	25, 39	16		8.4.3	LDP Adoption – Publication of the adopted LDP, adoption statement and SA Report, make available for public viewing and inform those who asked to be notified
S76	37	17		9	Monitoring of LDP – Produce Annual Monitoring Report for submission to WG and publish on website

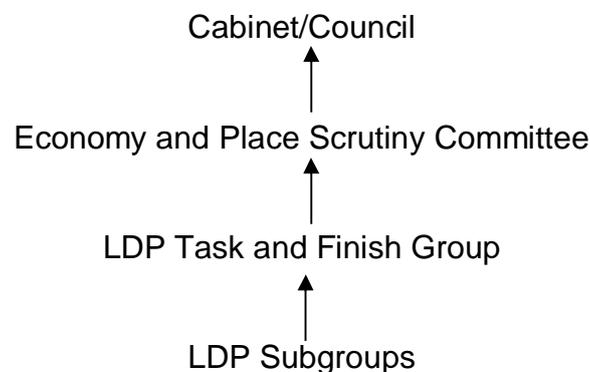
APPENDIX 3: GOVERNANCE ARRANGEMENTS

The Council has set up an LDP Task and Finish Group which will directly report to the Economy and Place Scrutiny Committee and Cabinet/Council. This governance arrangement will oversee all aspects of the plan process, from this Delivery Agreement right up to the adoption of the Plan and its next review. In addition to these arrangements already in place, a joint working group with Denbighshire will be established, to oversee the production of complementary LDP strategies and joint evidence base. This will ensure that the elements of the regional growth deal and any forthcoming SDP are planned for at a strategic level across the two authorities.

When reviewing the LDP, the Council will adopt a project management methodology to ensure the relevant skills and knowledge can be harnessed at the right time, and that milestones are met. LDP subgroups, which will consist of council officers and other relevant parties, will be assembled to discuss evidence base and necessary amendments to LDP policy, supporting text and SPG. These subgroups will be topic based, for example; housing, employment, open space, retail etc. and will be convened on an 'as needed' basis. Each subgroup will be led by a Senior Planning Policy Officer who will set the agenda for discussion and ensure actions are captured and followed up. The role of these subgroups for each topic area is as follows:

- To look in detail at past policy performance in the context of previous AMRs and LDP review report
- To gather, review and where appropriate, commission new evidence base
- To make recommendations for changes to policy, supporting text and SPG
- To produce committee reports and present supporting evidence and policy to relevant Council committees for sign off.

The reporting structure is as outlined below:



APPENDIX 4: RESOURCES

The core plan preparation work will be undertaken by the Planning Policy team which falls within the Strategic Planning & Communities section of the Council. The team consists of seven members of staff; the Strategic Planning & Communities Manager, four Senior Planning Officers (three full-time equivalent), one Planning Officer and a Monitoring & Project Support Officer. It is anticipated that, on average, the Planning Policy Manager will spend a third of his operational time in preparing the LDP, whilst the other officers will spend two thirds of their operational time on this work.

In addition to knowledge and experience directly relating to planning and LDP production, the Planning Policy team have the skills and capability in-house to develop and use databases for consultation responses and for candidate site submissions; to undertake mapping/GIS work and to produce and print LDP Proposals Maps. This reduces the reliance on external technical expertise and therefore represents cost and time saving compared to the previous LDP process. Where necessary, the team will receive support from Development Management and officers from other CCBC departments.

Further support from commissioned consultants will also assist in the preparation of evidence base where specialist input is required.

The Council operates on the basis of an annual budgeting cycle. In terms of financial resources, a budget for the entire LDP process has been presented and expenditure agreed for 2018/19. The budget for subsequent years will be presented on an annual basis.

The Council acknowledges that there may be unforeseen constraints in implementing the Delivery Agreement, particularly in relation to staff and budgetary resources, but will endeavour to minimise the effect of any such difficulties which may occur.

APPENDIX 6: BODIES ENGAGED IN THE LDP PROCESS

Annex B of the LDP Manual and previous LDP consultations have been used as a basis for identifying consultees for different stages of the LDP process. The tables below outline the groups it is proposed to consult with, however further detail will be provided in the Communication Plan to be published for each stage of the LDP.

Table A6.1: Organisations to be consulted on the Delivery Agreement:	
Welsh Government	Planning Inspectorate (PINS)
Natural Resources Wales	Cadw

The above organisations (except PINS) will also be invited to attend focus groups.

Table A6.2: Organisations to be invited to Focus Groups	
North Wales Local Planning Authorities	Utilities providers
Town & Community Councils	Relevant CCBC Departments
Betsi Cadwaladr University Health Board	Sport Wales
Welsh Language Service	Church in Wales & other religious groups
Go North Wales	North Wales Race Equality Network
Visit Wales	Conwy Access Group
Age Concern North Wales	Conwy Local Partnership
Home Builders Federation	Local Chambers of Trade
Local/regional housebuilders	Local tourism operators
National/regional environment groups	Recreation groups
Local amenity/community groups	Secondary schools & colleges
NFU Cymru	Housing Associations
Rural Housing Enabler	Menter Iaith Conwy
Planning Aid Wales	

All organisations from Tables A6.1 and A6.2 (except PINS) will also be consulted at the following stages of LDP production, in addition to the following.

Table A6.3: To be consulted on the Preferred Strategy and Deposit Plan:	
Design Commission for Wales	Crown Estates
Equalities & Human Rights Commission	North Wales Police
Coleg Llandrillo	Confederation of British Industry
Mineral Products Association	Environmental Services Association
Fields in Trust	Country Landowners Association
Shelter Cymru	Country Landowners Association Wales
MPs/Assembly Members	Cylch
Political Parties	Community Land Advisory Service
Ministry of Defence	Groups representing Gypsies/Travellers
Conwy Voluntary Services Council	Disability support organisations
Local planning agents	Major landowners

APPENDIX 7: DA CONSULTATION RESPONSES

The following comments were received in relation to the draft Delivery Agreement:

Welsh Government

Recommended amendments to the timetable to provide separate sections for submission and examination. An appendix was missing from the original draft. Also, the timetable should be revised to reflect the anticipated date for WG to agree the DA.

The timetable has been amended and clarified following comments received from WG, with the start date for Review now being in May 2018 when the DA is expected to be agreed. In order to avoid public consultation on the Deposit LDP being over the Christmas period, this has been moved back to January/February 2020. This results in an overall period for LDP Review now being 3 years and 4 months.

CADW

The draft LDP delivery agreement as laid out here looks appropriate. The timetable is not overly generous, but as is noted in the introduction – this is the only way to ensure the plan will be adopted by April 2021.

The plan includes provision for consultation with statutory consultees including Cadw and includes for the expected requirement to prepare a SEA. We have no additional comments or suggestions to include.

Natural Resources Wales

NRW have assessed the Draft Delivery Agreement (Replacement Plan, Draft Delivery Agreement, 2018-2033, Conwy County Borough Council), and agree with the proposed schedule of works.

Planning Inspectorate

No response received.