

REGENERATION SCRUTINY PANEL

Date: Wednesday 11th October, 2023
Time: 10.00 am
Venue: Spencer Room

AGENDA

1. Welcome and Evacuation Procedure
2. Apologies for Absence
3. Declarations of Interest
To receive any declarations of interest.
4. Minutes - Regeneration Scrutiny Panel - 6 September 2023 3 - 6
5. Planning Capacity - Scrutiny Review

The Head of Planning will be in attendance to provide an overview of Middlesbrough Council's Planning Service as an introduction to the Panel's new topic: Planning Capacity.

Recommendation: that the Panel determines what further information will be required for this scrutiny investigation.
6. Terms of Reference - Planning Capacity 7 - 8

Recommendation: that Panel Members consider, discuss and agree the terms of reference for the scrutiny review of Planning Capacity.
7. Overview and Scrutiny Board Update

The Chair will provide a verbal update on matters considered at the meeting of the Overview and Scrutiny Board held on 20

September 2023.

8. Date and Time of Next Meeting

The next meeting of the Regeneration Scrutiny Panel is scheduled to take place on Wednesday 1 November 2023 at 10.00 am.

9. Any other urgent items which in the opinion of the Chair, may be considered.

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
3 October 2023

MEMBERSHIP

Councillors I Blades (Chair), N Hussain (Vice-Chair), J Ewan, S Hill, L Hurst, D Jackson, J Kabuye, I Morrish and J Ryles

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Susan Lightwing, 01642 729712, susan_lightwing@middlesbrough.gov.uk

REGENERATION SCRUTINY PANEL

A meeting of the Regeneration Scrutiny Panel was held on Wednesday 6 September 2023.

PRESENT: Councillors I Blades, (Chair), J Ewan, S Hill, L Hurst, D Jackson, J Kabuye, I Morrish and J Ryles

ALSO IN ATTENDANCE: G Lightfoot, Local Democracy Reporter

OFFICERS: P Clarke, R Horniman, S Lightwing, K Whitwell

APOLOGIES FOR ABSENCE: were submitted on behalf of Councillor N Hussain, (Vice Chair)

23/6 **WELCOME AND EVACUATION PROCEDURE**

The Chair welcomed all present to the meeting and read out the Building Evacuation Procedure.

23/7 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

23/8 **MINUTES - REGENERATION SCRUTINY PANEL - 19 JULY 2023**

The minutes of the Regeneration Scrutiny Panel held on 19 July 2023 were submitted and approved as a correct record.

23/9 **LOCAL PLAN**

The Head of Planning gave a presentation that provided an introduction to the Local Plan, how it was prepared, what it contained and the timeframe for development and approval.

The Local Plan was a statutory duty of the Council set out in legislation and had to be reviewed every five years. It set out the Council's policy on how development should take place and covered a period of 15+ years from the date of adoption. Local Plans also provided a policy framework for making decisions on planning applications and were strategic to:

- Make sufficient land available for development to deliver the needs and priorities of an area.
- Take into account other Council plans and strategies.
- Seek to achieve a vision of what place should be like in the future.
- Provide certainty and/or de-risk for investors/developers and residents.

Local plans were a primary consideration when determining planning applications. However, this did not mean that planning applications would automatically be approved if they were in accordance with the Local Plan or refused if they were not.

The policy framework set the context for preparing the Local Plan and included:

- National Planning Policy Framework (NPPF).
- National Policy Statements.
- Specialist policy such as Gypsy and Traveller guidance.
- Planning Practice Guidance.

Where the Local Plan was silent on an issue or there was a difference, the NPPF took precedence. It was highlighted that the Levelling-Up and Regeneration Bill currently passing through Parliament, might have an impact on Local Plans. National policy included development control considerations and was generally pro-growth and pro-development.

The Local Plan was not produced in isolation but in conjunction with the Council's Strategic Plan as well as key strategies for transport, economic growth, housing and other policies. The

Tees Valley Combined Authority also had an important role in this area as well.

Middlesbrough's current Local Plan comprised five documents:

- Housing Local Plan - 2014.
- Minerals and Waste - 2011.
- Regeneration Development Plan Document (DPD) - 2009.
- Core Strategy - 2008.
- Middlesbrough Local Plan - 1999.

All plans were still relevant and referred to in decision making. However some elements – such as green space policies – needed updating.

Neighbourhood Plans were currently in place in Marton West and Stainton and Thornton and others were in production.

There were tight controls on how Local Plans had to be prepared through legislation and National Planning Policy. Significant public engagement and consultation was required and the evidence base had to be credible, robust and up to date. Council strategies were key to the evidence base which was examined at the approval stage. The Council also had to co-operate with partners and strategic neighbours.

An independent examination of the Local Plan would be completed by a Government Inspector who would test it against a number of criteria and not just the objectives. Approval of the Local Plan was not a Council decision.

The timetable for review of Middlesbrough's Local Plan was as follows:

- | | |
|-------------------------------------|----------------------|
| • Scoping/Issues & Options | Dec 2022 |
| • Preferred Options (non-statutory) | Nov/Dec 2023 |
| • Publication | June 2024 |
| • Submission | Sept 2024 |
| • Examination | |
| – soundness and legal compliance | Sept 2024 – Jan 2025 |
| • Adoption | April 2025 |

The Local Plan would be published online and physical copies would also be provided.

In relation to the current Local Plan being published in 2014, it was confirmed that it had been reviewed since that date. A new Local Plan was prepared in 2016-2017 and was at the publication stage in 2018. However it was withdrawn in 2019 and the Council then started to review it again.

It was clarified that Neighbourhood Plans could not de-allocate housing sites that were in the Local Plan. If a new Local Plan differed from existing Neighbourhood Plans any change in allocations would have to be considered.

Public consultation took place at every stage of the Local Plan development. The scoping element was slightly different because it was a more technical exercise dealing with statutory bodies. Member workshops and briefing sessions would be arranged for Councillors. Adverts would be placed in the local press and A4 notices posted where sites were allocated.

In terms of resources required to produce the new Local Plan it was confirmed that it was a case of getting the timing right for each element. If more resources were required a case would be submitted. The cost for examination in 2014 was approximately £60,000.

The Chair thanked Officers for the presentation.

AGREED that the information provided was received and noted.

23/10

SETTING THE SCRUTINY PANEL'S WORK PROGRAMME 2023-2024

The Democratic Services Officer presented a report, the purpose of which was to assist Members of the Panel to consider and agree its work programme for the 2023-2024 Municipal

Year.

Some topical issues and a list of suggestions received in respect of the Scrutiny Panel's remit were contained in the submitted report. It was suggested that the Scrutiny Panel should select two or three topics to review.

Members discussed the topics listed in the report and suggestions received from the Deputy Mayor and Executive Member for Education and Culture, Executive Member for Regeneration, Members, members of the public and the service area. The Director of Regeneration and the Head of Planning were in attendance and provided additional information requested by Members at the meeting.

Members used the aid attached at Appendix 1 to prioritise issues where scrutiny could make an impact, add value, or contribute to policy development in order to determine which topics were suitable for inclusion in the work programme.

Following discussion, Panel Members agreed the following topics for review:

1. Planning Capacity.
2. How Middlesbrough Council can fund Culture in the future.
3. Housing Association Properties.

AGREED as follows that:

1. The information provided was received and noted.
2. The topics listed at 1 to 3 above, would be submitted to the Overview and Scrutiny Board for approval.

23/11 **OVERVIEW AND SCRUTINY BOARD UPDATE**

The Chair provided a verbal update on items that were considered at the meeting of the Overview and Scrutiny Board which was held on 26 July 2023.

23/12 **ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.**

None.

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REGENERATION SCRUTINY PANEL – PLANNING CAPACITY

– DRAFT TERMS OF REFERENCE

- 1) To understand the current position in terms of Middlesbrough Council's present planning capacity, building control and enforcement provision.
- 2) To examine any non-statutory functions currently provided by Middlesbrough Council's planning service.
- 3) To consider measures, including joint working with other local authorities, that could be put in place to mitigate any gaps in the current service.
- 4) To investigate what additional resources, if any, can be accessed from Central Government or other bodies to assist with improving planning capacity.
- 5) To consider any potential implications/impact/challenges of the Regeneration and Levelling Up Bill on planning services.

DRAFT

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