

## **Housing and Planning Scrutiny Select Committee**

**12 February 2025**

### **Part 1 - Public**

#### **Recommendation to Cabinet**



Cabinet Member	Cllr Mike Taylor – Cabinet Member for Planning
Responsible Officer	Eleanor Hoyle – Director of Planning, Housing and Environmental Health
Report Author	Kelly Sharp – Planning Policy Manager

#### **Local Plan budget proposal**

### **1 Summary and Purpose of Report**

- 1.1 The Council has undertaken work to understand the budget requirements to deliver a Local Plan, considering the requirements of the revised NPPF which was published on 12<sup>th</sup> December 2024 and the timescales provided by Central Government to submit a plan to the Planning Inspectorate under the current planning system, that being no later than 12<sup>th</sup> December 2026. The report sets out the estimated costs for local plan production up to Local Plan adoption (end of 2027/2028).

### **2 Corporate Strategy Priority Area**

- 2.1 The report will contribute to the following corporate priorities:
- Efficient services for all our residents, maintaining an effective council.
  - Sustaining a borough which cares for the environment.
  - Improving housing options for local people whilst protecting our outdoor areas of importance.
  - Investing in our local economy.
- 2.2 The Local Plan once progressed to adoption will be the key planning document for TMBC, setting out the Council's strategy for land use. The Local Plan will provide a vision for the borough, a long-term spatial strategy for growth, including the locations where development will take place. It will provide a range of both strategic and non-strategic policies that will guide development across the borough contributing to social, environmental and economic (sustainable) goals.

The Local Plan by its very nature, will embed the Council's Corporate Priorities into its vision and policies and will therefore contribute to delivering these.

### 3 Recommendations

HPSSC is asked to recommend to Cabinet to:

- 3.1 NOTE that the requirements to deliver a new Local Plan in accordance with the new NPPF will result in additional pressure on the Council's overall budget. This will result in a shortfall in the planning reserve from 2026/2027.
- 3.2 Seek confirmation from Members on whether to progress the following evidence base studies:
  - Green Belt extension at West Malling – £30k
  - Green Gap study - £15k
- 3.3 Seek confirmation from Members on whether to progress a budget requirement of £260k, **in this current Local Plan Budget proposal** that relates to progressing a Borough wide Design Code, given that matters in relation to design codes are being considered at a national level, the timetable for the progression of this work (that being 2027/2028) and in considering other current competing Council budget requirements.
- 3.4 APPROVE the additional budget requirements of the Local Plan as set out in Table 3. The budget of which does not include the two discretionary studies and the design code (as above) or;
- 3.5 APPROVE the additional budget requirements of the Local Plan as set out in Table 4. The budget of which includes the two discretionary studies and the budget for progressing a design code (as above) or;
- 3.6 APPROVE the additional budget requirements of the Local Plan as set out in Table 3 but include the budget identified above to progress the Green Belt Extension Study (£30k) and / or the Green Gap Study (£15k).
- 3.7 NOTE that the need for further financial provision including that relating to a future Borough-wide Design Code / Parking standards will be considered alongside other competing budget demands for the Council as part of the future budget setting process for the Council and Medium-Term Financial Strategy (MTFS).

### 4 Introduction

- 4.1 Following the Government's NPPF and planning reform consultation that took place from 30<sup>th</sup> July – 24<sup>th</sup> September 2024 and the subsequent publication of a revised NPPF on 12<sup>th</sup> December 2024 work has been progressed to understand and estimate the costs of delivering a Local Plan under the current planning system.

- 4.2 Please note that a separate HPSSC Report is provided to this Committee (12<sup>th</sup> February 2025) that considers the changes provided by the revised NPPF and also an update to the Council's Local Development Scheme, which sets out the Local Plan timetable. To also note, a report was taken to the HPSSC on 3<sup>rd</sup> December 2024, which provided an interim update on Local Plan estimated costs.
- 4.3 The main implication of a revised NPPF is the requirement to update or revise the emerging Local Plan position, evidence base and timetable to deliver a Local Plan that meets (new) national policy requirements. This includes the consideration of meeting a higher (and mandatory) housing target as well as a consideration of new national policy and guidance in relation to the Green Belt, amongst other changes. The date in which a Local Plan must be submitted to the Planning Inspectorate under the current planning system is now confirmed to be 12<sup>th</sup> December 2026.
- 4.4 With the publication and confirmation of the policy changes which are now included within the revised NPPF (December 2024), this report sets out and explains the budgetary requirements to deliver a Local Plan to adoption under the current planning system, with local plan submission to be before 12<sup>th</sup> December 2026 in accordance with the Government's timescales.
- 4.5 The HPSSC met on 3<sup>rd</sup> December 2025, during which a report was presented and a recommendation was made to note that a revised NPPF would result in the need to increase the annual allocation to the Local Plan reserve in order to progress a local plan under a revised NPPF. Following this meeting, a letter was sent to the Secretary of State setting out the financial burden of delivering a local plan, taking into account a revised NPPF, and the impact that this will have on our Council. The letter asked whether the Government would consider whether any financial support could be made available to assist. This letter is provided at Annex 1 for information.

## **5 Plan-making and budget time period**

- 5.1 The plan-making process is considered around a number of key stages including evidence gathering, Regulation 18 consultation, Regulation 19 consultation, submission, examination, main modifications (if required) and adoption. Given the Government's submission date of 12<sup>th</sup> December 2026, the Examination in Public would likely take place in 2027. As per the updated LDS, adoption is also earmarked to take place in 2027, however, it is noted in the LDS that the dates for examination and adoption will be subject to the Planning Inspectorate's timetable. Therefore, these dates can only be indicative at this early stage in the plan-making process.
- 5.2 Local Plan costs have been estimated on an annual basis (financial year – 1<sup>st</sup> April – 31<sup>st</sup> March) covering up to the 2027-2028 financial year. It is difficult to predict costs beyond this period given the uncertainty around what a new plan-making system will entail, given that this will be set out in any forthcoming

Planning and Infrastructure Bill and any subsequent legislation. Devolution and what this may mean for the Council is also currently a matter that brings uncertainty, when considering a longer-term budget.

## 6 Local Plan estimated costs

- 6.1 At this stage, most costs identified as part of this exercise are best and reasonable estimates based on officer experience of the cost of existing and similar contracts and the plan-making process in general. This means that the final costs could vary slightly, however, contingencies of 5% have been built in, to account for any slight variations. In particular, contingencies have been included for evidence base, consultation and examination costs.
- 6.2 The Local Plan estimated costs are presented in table 1 below. Any expenditure that has taken place prior to the costs identified in table 1 should be considered as already incurred and cannot be recovered. This is set out further in section 12 of this report, table 2, which shows the local plan budget between 1<sup>st</sup> April 2020 and 31<sup>st</sup> March 2024. Work already incurred includes work that contributed to the TMBC Local Plan Regulation 18 consultation that took place between 22<sup>nd</sup> September and 3<sup>rd</sup> November 2022. It also includes work progressed for the now paused second Regulation 18 consultation that was due to take place last year. Some, but not all work, for the paused Regulation 18 Local Plan can be recycled and used as we move towards the next Regulation 18 consultation.
- 6.3 It is worth noting that the first Regulation 18 consultation undertaken in 2022 will continue to feed into the Local Plan process. This was an early consultation to understand the needs and priorities we should address through plan-making. It is the work that was progressed for the second Regulation 18 consultation that was paused that will need to be revised to feed into the Council's second Regulation 18 consultation (due to take place later this year) and beyond. For example, for many of the Regulation 18 work streams there will be a requirement to take a fresh approach to account for national policy changes and / or the extended plan preparation time where data and evidence will become out of date and will therefore require a refresh.

Table 1: Local Plan estimated costs (1<sup>st</sup> April 2024 – 31<sup>st</sup> March 2028)

<b>Local Plan Summary of estimated costs (£)</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>Total cost per item</b>
Evidence base	87,950	565,450	381,250	208,000	<b>1,242,650</b>
Software	38,000	53,400	48,400	48,400	<b>188,200</b>
Consultation	0	76,150	49,900	0	<b>126,050</b>
Plan production support	0	40,000	40,000	0	<b>80,000</b>

Examination costs	0	0	0	420,000	<b>420,000</b>
<b>Total per financial year</b>	<b>125,950</b>	<b>735,000</b>	<b>519,550</b>	<b>676,400</b>	<b>2,056,900</b>

- 6.4 As per the table above, the majority of costs are associated with gathering evidence and the Local Plan examination itself. The examination includes costs associated with the independent Planning Inspector, legal costs to engage a Barrister(s), a programme officer and support from expert witnesses. All of which are required to support a Local Plan examination.
- 6.5 As set out previously in this report, it is important to note that costs provided are estimated. This is because much of the Local Plan work relies on the purchasing of services, the costs for which can only be confirmed once quotes have been received.
- 6.6 The table above includes all costs associated with the development of the Local Plan including items discussed in section 12 of this report, which are not currently considered as essential evidence base items for the development of the Plan. Options around these items form part of this reports recommendations and the costings are presented in tables 3 and 4 in section 13 of this report.

## 7 Local Plan evidence

- 7.1 In relation to evidence bases, the Council has progressed certain evidence bases to support the 2022 Regulation 18 consultation stage and also the consultation stage that was due to take place last year before pausing the Local Plan at the end of July 2024. Costs are associated with updating this emerging evidence to support the second stage Regulation 18 consultation as well as progressing additional evidence now required following the revised NPPF to support the new Regulation 18 and subsequent Regulation 19 consultation stage. This includes landscape evidence such as a borough-wide landscape character study, landscape sensitivity assessments for the borough and also for potential sites and a landscape sensitivity assessment for renewable energy. This work will assist in Local Plan policy formulation and in identifying suitable sites to deliver sustainable development by ensuring that the most valued landscapes are protected in the borough. The need for this evidence is due to the relaxation of Green Belt policy in the revised NPPF and the increase in the Council's housing requirement / development pressure. Landscape evidence will also assist in planning application considerations and decisions.
- 7.2 Other evidence base work that has been progressed to-date will either require updates or will need to be re-run / re-considered against the requirements of a revised NPPF and the emerging Local Plan, for example, Green belt evidence, transport modelling, Sustainability Appraisal and Habitats Regulations Assessment.

- 7.3 It is worth noting that much of the evidence base work would require updating without a revised NPPF due to the iterative process of plan-making, however, the revised NPPF will require much additional work including changes to methodologies and a consideration of national policy in a different way. This means that certain evidence bases that have already been progressed will not meet the revised NPPF unless they are updated. Evidence gathering has been and will continue to be a key and essential part of the Local Plan process and it will be critical for any updated or revised evidence to feed into the emerging Local Plan to ensure that it is found sound at examination.
- 7.4 Associated with the Local Plan, the Council has been awarded £25k via the Planning Delivery and Skills Fund. The Council is currently using this funding to progress 3 Conservation Area appraisals in the Borough. This is supported by an external consultancy. The Council is aware that Conservation Area appraisals will assist in planning application determination as well as matters relating to heritage for the Local Plan. There are 61 Conservation Areas in the Borough and for those with Conservation Area appraisals, these are around 20 years old and require updating. In addition, the Council currently has a service level agreement with Tunbridge Wells Borough Council, which provides a level of advice to support the development management function. This level of advice does not extend to the Council's planning policy or Local Plan functions given the limited staff resource at Tunbridge Wells. An amount of £40k per year has therefore been identified in the budget. The amount will allow a continued programme to update Conservation Area Appraisals, for example around 4 per year, plus it would also allow specialist heritage and / or design advice to be obtained to support the planning policy function and progressing the Local Plan, in the absence of a TMBC Conservation and Design Officer. The Council is currently considering how we can best gain this support.

## **8 Funding to support local authorities with the costs of local plan delivery and Green Belt reviews**

- 8.1 The Government has announced that a total of 14.8 million is available to support local authorities to implement the changes in the revised NPPF. There are two funds available. The first is 'Local Plans Delivery Funding 2024/2025'. This fund is to provide a financial contribution to local authorities that are at an advanced (Regulation 19) stage in the plan-making process. TMBC is not at this stage, therefore is not eligible to apply for this funding. The second fund relates to Green Belt Review Funding 2024/2025'. The purpose of this funding is to provide additional support to local authorities that intend to undertake a Green Belt review, in the form of a direct financial contribution towards this cost. Authorities were invited to make an Expression of Interest (EOI) for a share of the fund, up to a maximum of £70k per local authority. TMBC has submitted its EOI, which had a deadline of 17<sup>th</sup> January 2025.
- 8.2 Whilst it is likely that funding will be awarded to TMBC given the extent of Green Belt in the borough and the work that is required, there is no guarantee of the

amount that may be awarded, therefore this has not been accounted for in the budget presented to Members.

## **9 Other Local Plan costs**

- 9.1 In terms of software, the Council purchased specialist software to assist with progressing the Land Availability Assessment in 2021 and has recently renewed the license for this software for an additional three years. The Council also purchased specialist consultation software to support the Local Plan consultation stages and subsequent analysis. This was purchased in January 2024 and has a three-year contract. The continuation of this software has been included in 2027-2028 to support the Examination process. Plan production support includes costs associated with legal and critical friend advice and advice from the Government's Planning Advisory Service (PAS). This is required to provide confidence and to address any likely issues ahead of submitting the plan for examination in public. It will test the soundness of the plan and provide an opportunity to address any issues, ahead of submission and examination.
- 9.2 Costs associated with consultation are largely associated with the production of Local Plan graphics and desktop publishing, which are required for each consultation stage, however, costs also include administrative requirements such as notifying communities and stakeholders throughout the Local Plan process, as set out in the Statement of community Involvement (SCI) and Engagement and Consultation Strategy.

## **10 Staff resource**

- 10.1 Staffing has also been considered and the General Purposes Committee on 22<sup>nd</sup> January 2025 has agreed to a moderate boost to the planning policy staff resource on a permanent basis to help deliver the new Local Plan within the timescales provided by the Government. A small restructure of the Planning Policy team is also underway, which is reported to the General Purposes Committee on 22<sup>nd</sup> January 2025. This is to help with Local Plan delivery. Please note that staffing is a separate Council budget, therefore permanent staff costs are not included in Local Plan budget considerations.
- 10.2 There has been a long-term vacancy for a Principal Planning Policy Officer. Despite several attempts, it has not been possible to recruit to this critical post and temporary agency staff have been used to fill the post in the short-term. We will actively continue to recruit to this post. However, should future recruitment not be successful given the national shortage of experienced and skilled planners, costs have been considered to ensure that a post can be filled for the duration of the Local Plan work programme by agency staff. An additional agency staff budget of £184,500 is therefore required. This includes a contingency of additional hours to help support current planning appeals and Inquiries and further appeals and Inquiries, should these be forthcoming given the revised NPPF and the Council's diminished 5-year housing land supply position. Should any future recruitment be

successful, then these staff costs will be reduced / will fall away. However, given the current uncertainty as to whether recruitment will be successful, agency staff costs have been included in the estimated local plan budget.

## **11 Local Plan options**

- 11.1 The Government has made it clear that local plans should be progressed as quickly as possible and submitted no later than **12<sup>th</sup> December 2026**. The Government considers this to be a significant extension to that provided previously (June 2025) and that the extension will benefit plans that are at earlier stages, providing more time for LPAs to reflect on the revised NPPF and progress plans that will stand up to scrutiny at examination.
- 11.2 The Government have made it clear that it is unacceptable for local authorities not to make a local plan and that if plans are not in place, the Government will intervene under new intervention powers to ensure housing delivery.
- 11.3 Should the Council not succeed to submit a Local Plan by the 12<sup>th</sup> December 2026 date, then plan-making will need to be undertaken under a new planning system. The details of which are currently unknown with detail to be provided in the Planning and Infrastructure Bill which is due to be published in due course. This would leave the Council without a Local Plan until a new Plan is adopted under a new planning system and would leave the Council open to Local plan intervention by the Secretary of State.

## **12 Local Plan evidence base budget options**

- 12.1 In understanding the costs to deliver the Local Plan, we have considered whether all evidence identified in the current work programme is necessary to meet the requirements of the NPPF and would provide value for money at this time. It is considered that two studies that were previously identified are considered optional and we wish to seek Member instructions as to whether these are taken forward in the current work programme / budget.
- 12.2 Green Belt extension study
  - 12.2.1 The first study for consideration is the Green Belt extension study and we consider this to be optional due to the revised NPPF. The purpose of the study would be to consider extending the Green Belt up to the A228 (West Malling bypass) given the current arbitrary boundary in this location. The NPPF makes a number of points relating to amending Green Belt boundaries that either relate to new Green Belt boundaries or updating Green Belt boundaries to accommodate growth. There is no mention of extending already existing Green Belt boundaries for reasons other than to allow growth. Indeed the NPPF makes it clear that:

‘If it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green



Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt’.

12.2.2 However, we are also mindful that without undertaking this work stream we do not know whether or not justification exists for extending the Green Belt in this location. However, from the NPPF and the weakening of Green Belt policy, we know that there will be a very high bar that would need to be met for a green belt extension to be passed at examination, which could make for a difficult examination. This is because it is extremely unusual to see Green Belt extensions endorsed at Local Plan Examinations, unless it is justified by Green Belt releases to support and compensate for strategic developments elsewhere in the vicinity. Legal advice will also need to be sought to understand the implications of extending the Green Belt in relation to any implications on the Local Plan examination process.

12.2.3 Should Members decide for this work not to be taken forward, there would be a saving in the region of £30k. Please note that funding from the Government’s Green Belt fund (discussed in section 8.1 above) would not cover this work as the Green Belt review work already exceeds £70k, the top amount that may be awarded by the Government’s funding proposals (as above).

### 12.3 Green Gaps Study

12.3.1 Taking forward a Green Gap Study has previously been put to Members. As per previous advice, the purpose of the study is to understand whether a Green Gap approach could be justified and taken forward by way of a policy in the Local Plan.

12.3.2 Generally, the employment of Green Gaps in Local Plans are comparatively rare. Local Plans where they tend to be used have very individual sets of development pressures that affect particularly vulnerable landscapes and have also, in the past, typically had former strategic or local gap policies that were justified in a former plan. The matter being addressed within a former plan is generally indicative of historic and potentially ongoing pressures. Historically, strategic or a green gap approach has not been identified in a TMBC development plan.

12.3.3 A landscape character and landscape sensitivity assessment(s) would be first required to inform a Green Gap Study. For a Green Gap approach to have any potential to be taken forward, it would need to be demonstrated that highly vulnerable landscapes exist and/or that coalescence is likely where there are very narrow breaks between settlements. In addition, other factors are likely to also need to be present as it is not simply a landscape-based approach. Such factors may include protecting designated sites for nature, green infrastructure contribution, protecting heritage assets, opportunities for informal recreation, delivering Biodiversity Net Gain (BNG), providing flood storage areas, where close to water.

12.3.4 Whilst we do not currently have the benefit of the required landscape character and sensitivity assessments, we do consider that introducing a Strategic or Green Gap policy could be difficult to justify. However, we are also mindful that without undertaking this work stream we do not know whether or not there could be any grounds for introducing this new policy approach. Should Members decide for this work not to be taken forward, there would be a saving in the region of £15k.

#### 12.4 Design code

12.4.1 Members have previously agreed a budget to progress a Borough-wide design code for an amount of £260k under a previous budget proposal.

12.4.2 Design code work was not programmed to take place until post local plan submission / adoption. In the Government's response to the NPPF consultation, the Government have confirmed that they will keep under review the provisions contained in the Levelling Up and Regeneration Act 2023 on authority wide design codes and national policy and guidance on design in relation to how the use of localised design codes and other design tools, including masterplans and design guides, can be embedded as part of the plan-making process. Given that design codes are not programmed until much later in the plan-making process; the uncertainty as to what a design code may be required to entail; and in considering current uncertainty surrounding local government with devolution proposals, there is an option to remove the design code budget from the current local plan budget proposal, thus reducing local plan costs. The Council could then consider a way forward on this, once more is known.

12.4.3 An element of the design code work stream was to consider and identify parking standards for the borough. Along with the design code work, this was not due to be progressed until later in the plan-making process. The Council acknowledge that this is an important area of work. Therefore, how this work can be progressed alongside any future design code will be considered once the Local Plan work is progressed further also.

### 13 **Financial and Value for Money Considerations**

13.1 There will be direct financial and value for money considerations associated with Local Plan preparation beyond that which was originally identified before the 30<sup>th</sup> July 2024 NPPF consultation and the pausing of the Local Plan.

13.2 The Government are clear that LPAs at the early stages in plan-making are required to take plans forward in accordance with a revised NPPF and that evidence gathering should be proportionate. Given the fundamental changes proposed and the implications of these, this report has considered the budgetary requirements for delivering a Local Plan under the current planning system to adoption, meeting the Government's timescales for Local Plan submission.

13.3 Members will be aware that Local Plan expenditure is funded from the Council's earmarked reserve. Table 2 below sets out Local Plan actual spend between 1<sup>st</sup>

April 2020 – 31<sup>st</sup> March 2024. This was also reported at HPSSC on 3<sup>rd</sup> December but is repeated here for completeness.

**Table 2: Local Plan (actual) budget (1<sup>st</sup> April 2020 – 31<sup>st</sup> March 2024)**

<b>Local Plan budget (1st April 2020 – 31st March 2024)</b>	<b>Actual Spend</b>			
	2020/21 £	2021/22 £	2022/23 £	2023/24 £
Opening balance	34,908	220,725	938,300	834,798
Local Plan top up contribution	377,193	830,000	80,000	80,000
External spend - supplies and services	(191,376)	(112,425)	(175,465)	(295,644)
Additional Staffing	0.00	0.00	(8,037)	(45,000)
Closing balance	220,725	938,300	834,798	574,154

- 13.4 In accordance with the recommendations for this report and as described in section 12 we have considered the work required and note that there are optional studies of which we seek Member confirmation as to whether to take these forward. Should the Green Belt extension and / or the Green Gap Study not be progressed, then this would offer a saving of £45k and should the design code work not be included within this current budget proposal, then this would offer a current saving of £260k. Please note that the Design Code (including parking standards) is not due to be progressed until towards the end of the budget period following the submission and potentially adoption of the Local Plan. This is a matter that can be fully considered in the future as required.
- 13.5 Not including these three items reduces the overall budget by £305K. The budget is presented in Table 3 below. The budget does not currently include any funding that may be awarded in relation to the Government's Green Belt Review funding.
- 13.6 The balance in this reserve as at 1<sup>st</sup> April 2024 was £574,154. Following a contribution to the reserve of £505,000, the available balance for 2024/25 is £107,915. The external spend to date including commitments in 2024/25 is £209,990.

**Table 3: Local Plan proposed budget (1<sup>st</sup> April 2024 – 31<sup>st</sup> March 2028) – Does not include Green Belt Extension Study, Green Gap Study and Design Code**

<b>Local Plan budget (1st April 2024 – 31st March 2028)</b>	<b>Estimated Spend</b>			
	2024/25 £	2025/26 £	2026/27 £	2027/28 £
Opening balance	574,154	721,014	118,964.31	(186,436)
Local Plan top up contribution	505,000	160,000.00	160,000.00	160,000.00
External spend - supplies and services	(172,120)	(719,950)	(419,500)	(516,400)
Commitments not included in proposed budget	(37,870)	0.00	0.00	0.00

New LP Budget for 2024 - 2025 only	(97,550)	0.00	0.00	0.00
Additional Staffing	(50,600)	(42,100)	(45,900)	(45,900)
Closing balance	721,014	118,964.31	(186,436)	(588,736)

13.7 Table 4 below sets out an estimated Local Plan budget from 1<sup>st</sup> April 2024 – 31<sup>st</sup> March 2028. This includes costs for the Green Belt Extension Study, Green Gap Study and Design Code, as per costs set out in Table 1. The Design Code would be progressed towards the end of the local plan work streams and post local plan adoption.

**Table 4 Local Plan proposed budget (1<sup>st</sup> April 2024 – 31<sup>st</sup> March 2028) – Includes Green Belt Extension Study, Green Gap Study and Design Code**

Local Plan budget (1 <sup>st</sup> April 2024 – 31 <sup>st</sup> March 2028)	Estimated Spend			
	2024/25 £	2025/26 £	2026/27 £	2027/28 £
Opening balance	574,154	692,614	75,564.31	(329,836)
Local Plan top up contribution	505,000	160,000.00	160,000.00	160,000.00
External spend - supplies and services	(172,120)	(734,950)	(519,500)	(676,400)
Commitments not included in proposed budget	(37,870)	0.00	0.00	0.00
New LP Budget for 2024 - 2025 only	(125,950)	0.00	0.00	0.00
Additional Staffing	(50,600)	(42,100)	(45,900)	(45,900)
Closing balance	692,614	75,564.31	(329,836)	(892,136)

13.8 For the period from October 2024 to 31<sup>st</sup> March 2028 to deliver the local plan the external spend under this scenario is forecasted to be £2.1 million (as set out in Table 1). Based on the forecast spend and reconsidering the budget from now it is considered that the contribution for the local plan including the remaining balance at the end of 2025 will need to be in the order of £892K which is around £297k per year. This is compared to that set out in Table 3, where the remaining balance at the end of 2025 will need to be in the order of £589K which is around £196K. The budget does not currently include any funding that may be awarded in relation to the Government's Green Belt Review funding.

13.9 A report is being taken to Cabinet on 11<sup>th</sup> February and has recently been taken to Finance, Regeneration and Property Scrutiny Select Committee setting out the Medium-Term Financial Strategy (MTFS). This report notes the current annual contribution of £80k to the Local Plan budget and provides an interim increase to £160k, taking into account that the current annual contribution is likely to be insufficient to meet the requirements of a new NPPF and submission timescales.

13.10 The figures presented in this HPSSC report are more up to date than those in the MTFS update. However, as identified above, uncertainty around the costs in this

report exists currently and this uncertainty will continue until such a time as a new NPPF is published. This means that there is a current mismatch between this report and the MTFS, which will be considered as soon as it is possible to do so in line with the publication of a revised NPPF.

## **14 Risk Assessment**

- 14.1 The preparation of the new Local Plan will provide the council with an up-to-date Local Plan on adoption. This will alleviate the current risks associated with not having an up-to-date development plan in place. The Government are clear that it is unacceptable for LPAs to not make a Local Plan and have updated the intervention criteria for not progressing a local plan expediently given the criticality of local plans to the Government's housing and economic development agenda. The Government are also clear that plans should continue to be progressed under the existing planning system without delay and have provided transitional arrangements to achieve this where all plans will need to be submitted no later than 12<sup>th</sup> December 2026.
- 14.2 A number of Corporate Risks are relevant including staffing challenges in planning services and a corporate risk directly associated with the Local Plan. Over the last two HPSSC's (24<sup>th</sup> September and 3<sup>rd</sup> December 2024), an updated Risk Assessment was provided as an Annex to the committee reports. This is again relevant here and has been provided in Annex 2. Please note the risk that relates to the delivery of the Local Plan should Members not agree to the Local Plan budget.

## **15 Legal Implications**

- 15.1 Local Planning Authorities are required to prepare and keep an up-to-date development plan for their area. The Planning and Compulsory Purchase 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out the requirements and the statutory process for the preparation of a Local Plan.

## **16 Consultation and Communications**

- 16.1 The Council adopted a Statement of Community Involvement (SCI) in September 2022 and a Local Plan Engagement Strategy was adopted by Cabinet in December 2024. These documents set out the consultation and communication arrangements that will take place to deliver the Local Plan. At each consultation stage the Local Plan, alongside other relevant documents will be published and consulted upon to meet legislative requirements.

## **17 Implementation**

- 17.1 The Local Plan is on-going work. The LDS has been updated and is also reported at this committee with the recommendation for approval. The LDS sets out the timelines of the Local Plan and other relevant documents. Having an agreed budget for 2025-2028 will be key to progressing and achieving an adopted Local Plan and meeting the timeframes set out in the LDS.

## **18 Cross Cutting Issues**

### **18.1 Climate Change and Biodiversity**

18.1.1 Adaptation and resilience have been considered.

18.1.2 Climate change advice has not been sought in the preparation of the options and recommendations in this report. The Local Plan itself once adopted will seek to address climate change mitigation and adaptation and will seek to reduce carbon emissions as relevant to new and existing development. The consideration of budgetary requirements has minimal relevance, aside to that relevant to the procurement process, such as employing local businesses where possible to do so. It is also relevant to the consultation process also, where we will seek to reduce the use of cars through the provision of a virtual exhibition.

### **18.2 Equalities and Diversity**

18.2.1 Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups. The decisions recommended through this paper directly impact on end users.

18.2.2 The Local Plan itself will be subject to an Equalities Impact Assessment to ensure that its policies do not discriminate against those with protected characteristics.

18.2.3 The impact of this report has been considered and does not vary between groups of people.

### **18.3 Other If Relevant**

- Human Resources
- Procurement
- Business Continuity / Resilience
- Data Protection

18.3.1 The above selected options are relevant to this report for the following reasons:

#### **Human Resources**

- 18.3.2 The report seeks to fill a vacant post for a Principal Planner using temporary agency staff, confirms that another recruitment drive will take place in the new year to fill this vacant post and provides a contingency for the use of temporary agency staff should the post not be filled.

#### Procurement

- 18.3.3 The work required for the Local Plan will require the procurement of services. The Council is now working with the Mid-Kent Procurement Partnership which will provide opportunities to understand and ensure that Local Plan contracts provide best value for money. The Planning Policy team have recently had two training sessions to enable effective working with the Council's new Mid-Kent Procurement Partnership. A procurement work programme will be shared with the Mid-Kent Procurement Partnership to enable the timely and effective procurement of services to meet the evidence base requirements of the Local Plan.
- 18.3.4 Throughout the Local Plan work programme, officers will ensure that only work which is necessary to support plan-making will be progressed. The outputs of which will be of sufficient quality and will be robust to support the examination in public. In procuring contracts, officers will also seek opportunities for cost savings, where this is possible.

#### Business Continuity / Resilience

- 18.3.5 Identifying an estimated budget will assist with the Council's business continuity / resilience. Detailed work has taken place to understand budget requirements and to provide information so that decisions made can be accounted for and to enable the Council to plan for the additional budget required including risk assessments.

#### Data protection

- 18.3.6 The engagement strategy sets out how we will consult with communities and stakeholders including the use of software platforms. Data protection is a key consideration within the work we do. The Council holds information within databases to enable us to consult on the Local Plan as well as gather information for the Council's Local Plan evidence, such as the Land Availability Assessment. and data protection consultation process. Databases are kept up to date and used to keep registered individuals, organisations and groups informed on the production of any planning policy documents. In order to accord with the requirements of the General Data Protection Regulations (GDPR) 2018, those wishing to be contacted in relation to community engagement and updates to the Local Plan, must register with TMBC. In compliance with GDPR, contact details cannot be shared.

Background Papers	Guidance: Funding to support local authorities with the costs of local plan delivery and Green Belt reviews
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	<a href="https://www.gov.uk/government/publications/local-plan-delivery-and-green-belt-reviews-expression-of-interest/funding-to-support-local-authorities-with-the-costs-of-local-plan-delivery-and-green-belt-reviews">https://www.gov.uk/government/publications/local-plan-delivery-and-green-belt-reviews-expression-of-interest/funding-to-support-local-authorities-with-the-costs-of-local-plan-delivery-and-green-belt-reviews</a>
Annexes	Annex 1 – Letter to Secretary of State – Local Plan Financial Impact (11 <sup>th</sup> December 2024) Annex 2 – Local Plan Risk Register (February 2025)