

Committee(s)	Dated:
Planning and Transportation Committee	21/01/2025
Subject: City Plan 2040 - examination hearings governance and delegation	Public
This proposal: - delivers Corporate Plan 2024-29 outcomes	All
Does this proposal require extra revenue and/or capital spending?	No
If so, how much?	n/a
What is the source of Funding?	n/a
Has this Funding Source been agreed with the Chamberlain's Department?	n/a
Report of: Katie Stewart, Executive Director of Environment	For Decision
Report author: Gudrun Andrews, Head of Planning Policy	

Summary

The City Plan 2040 is currently under examination by the Planning Inspectorate and formal public hearing sessions are scheduled for late March 2025. At these sessions officers will need to further explain the plan's policies but are also likely to be asked to verbally agree changes to the plan based on feedback at the sessions.

The Planning and Development Director is therefore seeking delegated authority from the Planning and Transportation Committee to agree to changes during hearings, subject to later Committee approval. Once the hearings and consultation on proposed modifications to the plan have been concluded, the City Plan will then be brought to Committee for adoption, which is anticipated around January 2026.

Recommendation

Members are asked to:

- Delegate authority to the Director of Planning and Development to suggest potential main and minor modifications to the City Plan during the local plan examination hearings
- Agree that the main and minor modifications be brought back to Planning and Transportation Committee, Policy and Resources Committee and Court of Common Council for formal approval prior to consultation.

Main Report

Background

1. The City Plan was submitted to the Secretary of State for Housing, Communities and Local Government on 29 August 2024. From this date onwards the plan is under examination, undertaken by the Planning Inspectorate (PINS).
2. Formal public examination hearings are scheduled for the weeks of 24 and 31 March 2025. To enable the efficient running of the hearings both members and officers need to be clear of process and expectations. This paper highlights the next steps and seeks formal approval for the process.

Examination process

3. The purpose of the examination process is for the Inspectors to determine whether the submitted City Plan is 'sound', legally compliant, and meets the duty to cooperate, as defined by the National Planning Policy Framework.
4. The formal examination hearings are scheduled for the weeks starting 24 and 31 March 2025. Each session will focus on various city plan topics such as office floorspace, heritage, and tall buildings. The sessions will be chaired by the Inspectors, who will invite those stakeholders who have responded to the Plan to present their arguments for and against City Plan policies.
5. The plan is likely to be deemed sound with the inclusion of some Main and Minor Modifications. Main Modifications (MMs) address the plan's soundness, while minor modifications involve typographical errors or minor updates that do not affect the plan's soundness.
6. For process reasons, from submission onwards, any modifications need to be formally recommended by the Inspector to the City Corporation. The final list of modifications is likely to include the changes proposed at submission (approved under delegated authority, in accordance with the decision by the Court of Common Council at the meeting of 7 March 2024, and the preceding decisions of the Planning and Transportation Committee and Policy and Resources Committee).
7. It is anticipated that new modifications will be discussed during the examination process. During the hearing sessions the Inspectors may ask officers to agree changes to the Plan, or to negotiate potential amendments with other parties at very short notice (e.g. overnight). Given the tight timescales, it would not be possible to seek Committee approval immediately. Therefore, delegated authority is requested to allow officers to confirm agreement to modifications at the hearings, while making it clear to the Inspectors that any changes agreed to are those that officers believe are likely to be considered acceptable by the City Corporation, but that they would be subject to formal Committee approval at a later date.

Approval process

8. As the hearing sessions will take place in the weeks immediately after the ward elections it is proposed that all members are kept informed of the hearings as below:
 - At the start of each week, members will receive a briefing note for each session of the examination. This note will set out the representors attending and will highlight the key matters for discussion.
 - At the end of each week, members will be directed to the examination hearing log available on the website and provided with a brief overview of any changes that officers have agreed (subject to future approval by Committee).
9. Following the hearing sessions, officers will agree with the Inspectors a timetable for any further work. This may involve drafting of further MMs or additional Sustainability Appraisal (SA) and/or Habitats Regulations Assessment (HRA) in response to those MMs.
10. For the reasons set out above, delegated authority is now sought from Planning and Transportation Committee to the Director of Planning and Development to enable officers to answer specific questions and draw conclusions on the acceptability of suggested changes and amendments at the hearing sessions in March/April 2025.
11. All proposed modifications (e.g. Main and Minor) will be brought back to members for formal approval at Planning and Transportation Committee (potentially 8 July 2025), Policy and Resources and then Court of Common Council. The Main and Minor modifications will then be subject to a formal six-week consultation period.

Next Steps

12. The Inspectors will need to consider the outcomes of the consultation and any further SA work before they can make recommendations on the soundness of the City Plan in their Report.
13. The first stage in the reporting process will be an initial 'Fact Check' report which will be exclusively available to the City Corporation for the purpose of checking for inaccuracies. The Final Inspectors' report will follow 2-3 weeks later which will formally recommend the MMs required to make the plan 'sound'. This report will be made publicly available and the City Corporation will be free to adopt the plan through the relevant statutory and committee processes.
14. The adoption of the City Plan would be taken to Planning and Transportation Committee, Policy and Resources Committee and Court of Common Council. Depending on dates, it is most likely this would be in December/January 2026.

Corporate & Strategic implications

15. The City Plan 2040 has been prepared to contribute to corporate objectives, in particular the Corporate Plan.

Financial implications

16. None

Resource implications

17. None

Legal implications

18. To manage any legal implications, legal representatives, including counsel for some topics, will be in attendance at the formal hearing processes.

Risk implications

19. None.

General implications

20. There are not considered to be any financial or resource implications relating to the content of the proposal.

Equalities implications

21. There are no equalities issues raised as a result of protocol. Officers are working collaboratively across the organisation to ensure equalities issues are fully considered in preparation for the examination hearings. The Public Sector Equality Duty is an ongoing requirement and will be taken into account by officers throughout the examination as well as due regard being paid to its requirements as decisions on modifications are made at the appropriate time by committee.

Climate implications

22. None

Security implications

23. None

Conclusion

24. The report sets out the format of the City Plan examination processes and proposes how members will be kept informed of the main matters and outcomes.

It seeks delegated authority to enable officers to confirm agreement to modifications to the plan, subject to formal Committee approval at a later date.

Appendices

- None.

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