



Leicester
City Council

WARDS AFFECTED
All Wards

DECISION TIMETABLE :

CABINET

15 March 2004

LEICESTERSHIRE, LEICESTER AND RUTLAND STRUCTURE PLAN FURTHER MODIFICATION

Report of the Service Director Community Public Health and Well Being

1. Purpose of Report

To allow Cabinet to consider the next steps in the adoption of the Leicestershire, Leicester and Rutland Structure Plan.

2. Summary

On the 12 August 2003 the 3 Councils received a Direction from the Secretary of State requiring modifications to two policies in the Structure Plan: Strategy Policy 17 on Green Belt and Housing Policy 1 on housing land. This report proposes a course of future action for the 3 authorities to allow the Secretary of State to withdraw his Direction.

3. Recommendations

Cabinet is recommended:

1. subject to Leicestershire County Council and Rutland County Council District Council also agreeing, to approve the publication of Proposed Further Modifications to the Structure Plan, deleting Strategy Policy 17: Green Belt;
2. to authorise the preparation, publication and consultation on Proposed Further Modifications
3. to request GOEM to advise Ministers to withdraw the Direction.

4. Financial, Legal and Other Implications

1. Financial Implications

The costs of further work will be met from existing budgets.
James I Slater. Interim Head of Finance

2. Legal Implications

The Structure Plan is part of the Statutory Development Plan for Leicester. Under the provisions of the Council's constitution (in accordance with the Local Authorities (Functions and Responsibilities) Regulations, once the Structure Plan has completed the statutory formalities, it will be necessary for it to be agreed by Full Council.

A.J.Cross Assistant Head of Legal Services Tel 6232

3. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph references within this report
Equal Opportunities	No	
Policy	Yes	4b
Sustainable and Environmental	Yes	6
Crime and Disorder	No	
Human Rights Act	No	

5. Background

5.1 Following the Secretary of State's letter directing the 3 Council not to adopt the Structure Plan there was a lengthy exchange of correspondence between the County Council and GOEM, in the course of which it was established that the reason for the Direction was twofold:

- 1) inconsistency of the proposal for a Green Belt on the borders of Notts. Leics. and Derbyshire, as set out in Strategy Policy 17, with national and regional planning guidance;
- 2) the treatment of unimplemented local plan housing allocations in producing the distribution of housing outside the Central Leicestershire Policy Area.

Neither of these issues is of any direct relevance to the City of Leicester, but as joint authors of the Structure Plan, the agreement of the City Council and Rutland is necessary to proceed to complete the statutory procedures.

5.2 However, it remained unclear what action was required to address these matters. A meeting was held between officers of the 3 Councils and GOEM on 5th December 2003, following which a letter was received from GOEM which in part clarified its position.

6. Green Belt

6.1 GOEM considers that it would be necessary for the 3 Councils, working jointly with the other relevant strategic planning authorities, to assess the role and effectiveness of the existing Green Belt. If any deficiencies were identified, the 3 Councils would need to demonstrate that the Structure Plan proposal would be the most appropriate way to address shortcomings.

6.2 Such work could take many months, if not years, to complete and whilst the option of publishing Further Modifications would itself delay the adoption of the Structure Plan, it would still permit the earliest adoption of the Plan.

6.3 Designation of Green Belt in North West Leicestershire will not therefore be possible through the Structure Plan process. However the principle has been supported by officers of the Regional Assembly. It is intended therefore, to pursue designation instead through the draft Regional Spatial Strategy.

7. Housing

7.1 On housing, the 3 Councils provided further information and explanation regarding the treatment of unimplemented local plan allocations as a factor in the determination of housing provision. This has satisfied GOEM. It is anticipated that, following a formal

response by the 3 Councils this will enable GOEM to advise Ministers to withdraw the part of the Direction relating to Housing Policy 1.

8. Future Action

8.1 An Explanatory Memorandum is not part of the statutory Plan, but is an important document, explaining and interpreting the policies. It is suggested that further work is now carried out to update and amend the text with a view to publication in due course.

9. Background Papers

Letter of Direction from the First Secretary of State. ER&D File DP/K.6

10. Report Author/Officer to contact:

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DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	No
Executive or Council Decision	Executive (Cabinet)