

RLDP SCRUTINY INQUIRY - Terms of Reference

Reasons for this Report

1. To seek Committee's approval for the proposed Terms of Reference for the Joint Scrutiny Inquiry on Cardiff's Replacement Local Development Plan (RLDP).

Background - Replacement Local Development Plan (RLDP)

2. The RLDP is a crucial strategic document which governs the future development and economic growth of Cardiff up to 2036. It will be a key driver of investment, competitiveness, growth and environmental protection in Cardiff and will have implications for the wider city region.
3. The next stage of the RLDP is the *Preferred Strategy*, which will set out the preferred level of housing and jobs growth for the plan and the spatial strategy to deliver this growth. It will also contain a number of draft strategic key policies – such as sustainable transport, protecting the environment and delivering quality new development – which will inform the preparation of a Deposit Plan.
4. Welsh Government guidance requires the Preferred Strategy to be founded on a robust and up to date evidence base; this is tested during the independent examination of the Deposit Plan.

The Scrutiny Inquiry Process

5. It is essential that the Preferred Strategy is subject to robust scrutiny prior to being finalised by Cabinet.

6. The Scrutiny Chairs have agreed that a joint task and finish group be established, consisting of the Chairs of the five Scrutiny Committees and volunteers from each committee.
7. Following approval of the Preferred Strategy, it is anticipated that the task and finish group will continue to meet periodically, to undertake scrutiny of future stages of the RLDP.
8. At its meeting on the 20th June 2023, PRAP Members considered the Scrutiny Chairs request for expressions of interest to take part in a cross-scrutiny Inquiry as part of the next stage of the RLDP in relation to a consultation on the preferred strategic options.
9. Cllrs Ash-Edwards, Henshaw and Hunt joined the Chair, Cllr Williams, in representing this committee.
10. The RDLP cross-committee group met on the 7th July 2023 to discuss how it could most effectively scrutinise this issue, given its breadth. The group agreed that prioritising three topics of focus would be most effective; and that smaller sub-groups be established to undertake this work.
11. The three priority topics agreed were:
 - Securing Planning Obligations/s106
 - Public Transport
 - Local and District Centres
12. Three sub-groups covering the above topics have been established and have met to agree a set of Terms of reference. These are attached at **Appendix 1.**
13. The timescales to which all 3 sub-groups are working are as follows:
 - Evidence Gathering – October 2023
 - Drafting of key findings, recommendations and report – November 2023
 - Agreement and sign off of draft report by all scrutiny committees 5th – 13th December 2023
 - Submission to Cabinet – 14th December 2023

14. Members are required to note the Terms of reference attached at **Appendix**

1. The draft report arising from this Inquiry will be considered by the Committee at its meeting on 13th December 2023.

Legal Implications

15. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct legal implications. However, legal implications may arise when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

16. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters, there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATIONS

Members are recommended to:

- i. Agree the proposed Terms of Reference for the cross committee RLDP scrutiny task and finish inquiry attached at **Appendix 1**.

Davina Fiore

Director Governance & Legal

12 October 2023