
REPLACEMENT LOCAL DEVELOPMENT PLAN INQUIRY

Purpose of Report

1. To provide Members with the '*Replacement Local Development Plan*' Inquiry draft findings, attached at **Appendix 1**, for discussion, amendment, and approval, prior to submission to the Cabinet Member for consideration.

Background

2. Scrutiny of the first stage of the Replacement Local Development Plan (RLDP) by the five Scrutiny Committees in September 2021 resulted in a collective letter being sent to Cabinet. Following this, Scrutiny Committees in October 2021 supported the establishment of a Task and Finish Group to undertake further RLDP scrutiny. The group was led by the Environmental Scrutiny Committee, with representation from all 5 Scrutiny Committees to ensure that all aspects affected by the RLDP could be considered.
3. Following initial scoping meetings, Members agreed the following terms of reference:
 - *To explore, scrutinise and act as a consultee on the Strategic Options for the Replacement LDP focusing on how these have addressed:*
 - *Accessibility and Inclusivity*
 - *One Planet Cardiff.*
 - *To review the Council's consultation process to date; to examine its effectiveness and make recommendations for future consultation on the next stages of the Replacement LDP*
 - *To understand the supporting rationale for the projected growth provided by Welsh Government in order to consider whether the evidence base is robust, realistic, and viable.*
 - *To consider how Cardiff's replacement LDP and the Strategic Options are aligned with regional planning.*

- *To hear and consider views of stakeholders to inform the recommendations of Scrutiny on both the Strategic Options and the Council's consultation processes.*
 - *To coordinate and provide a single joint response from the Scrutiny Committees.*
 - *To make recommendations that will inform the decisions and considerations that the Council's Executive will make in the development of the Preferred Strategy.*
 - *To make recommendations that will inform any future scrutiny of the replacement LDP.*
4. The five Scrutiny Committees agreed the following membership for this task group:
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|-----------------------------------|----------------------------|
| • Councillor Ramesh Patel (Chair) | • Councillor Norma Mackie |
| • Karen Dell'Armi (CYP Co-optee) | • Councillor Adrian Robson |
| • Councillor John Lancaster | • Councillor Emma Sandrey |
| • Councillor Sue Lent | • Councillor Joel Williams |
| | • Councillor Peter Wong. |
5. The Task and Finish Group has held five meetings to hear evidence from internal and external witnesses, including:
- Councillor Wild – Cabinet Member, Strategic Planning & Transport
 - Simon Gilbert – Head of Planning
 - Stuart Williams – Group Leader, Local Development Plan
 - Stuart Hardisty – Hardisty Jones Associates – *Employment & Economic Modelling*
 - Andrew Fowler – Edge Analytics – *Population Modelling*
 - Grace Boden – Edge Analytics – *Population Modelling*
 - Andy Robinson - Natural Resources Wales
 - Geoff Hobbs - Natural Resources Wales
 - Richard Mann – UWHA
 - Huw Owen - Alzheimer's Society
 - Adrian Field - For Cardiff
 - Sheila Hendrickson-Brown – Cardiff Third Sector Council
 - Gladys Hingco – Principal Scrutiny Research Officer.
3. As part of the Inquiry, Scrutiny Research issued a Call for Evidence, seeking stakeholder views on the consultation process and on the strategic options. A total of 18 responses were received. Two summaries, one focused on the

consultation process and one on the strategic options, were presented to the Inquiry by Scrutiny Research, highlighting key findings from the responses.

4. Following the meeting in November 2021 to consider the consultation process, the Task and Finish Group sent a letter to Cllr Wild, Cabinet Member – Strategic Planning and Transport, setting out recommendations aimed at improving the ongoing consultation on the Strategic and Delivery Options. A response to this letter was received, accepting all the recommendations bar one, which was partially accepted. In addition, all the recommendations resulting from the scrutiny in September 2021 were accepted.
5. The final evidence gathering meeting was held on 31 January 2022. At this meeting, the Task and Finish Group were informed that the scrutiny officer supporting the Inquiry was leaving the authority mid-February 2022 and that therefore there was limited resource to complete the usual Inquiry Report.
6. The Task and Finish Group considered the next stages of the Inquiry and decided it was best for the scrutiny officer to:
 - focus on capturing the key findings for the Inquiry and to formulate these into matrices, indicating the evidence supporting the findings
 - draft a letter to Cllr Wild, highlighting the headline findings and including the recommendations sent earlier regarding the consultation process. In addition, the matrices would be shared as attachments to evidence these findings and recommendations
 - share the non-confidential Call for Evidence submissions with planning officers, to enable them to be counted and considered as consultation responses on the Strategic Options.
7. The Task and Finish Group met on 2 March 2022 to review the letter, key findings, recommendations, and attachments. Some amendments were agreed, and these have been incorporated into the documents at Appendix 1, which detail the findings of the Inquiry. Appendix 1 consists of the following:

- Appendix 1 – Letter to Councillor Wild, Cabinet Member – Strategic Planning & Transport, with the following appendices:
- App A – Inquiry Terms of Reference
- App B – November 2021 Letter to Cllr Wild with consultation recommendations
- App C – Response from Cllr Wild to App B letter
- App D – Letter from Scrutiny Chairs – Sept 2021
- App E – Response from Cllr Wild to App D letter
- App F – evidence matrix – consultation
- App G – evidence matrix – Strategic Options and Delivery
- App H – evidence matrix – Accessibility, Inclusivity, Environmental Sustainability
- App I – evidence matrix – further findings, observations, and future scrutiny.

Way Forward

8. During their meeting, Members may wish to discuss and agree any amendments required to the Task Group key findings, attached at **Appendix 1**.

Legal Implications

9. 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 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 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

10. 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.

RECOMMENDATION

The Committee is recommended to consider the findings of the task group, attached at **Appendix 1**, and endorse these, subject to any amendments the Committee wish to make, for submission to the Cabinet Member.

Davina Fiore

Director of Governance & Legal Services

10 March 2022