

**COUNCIL: 30 SEPTEMBER 2021**

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## **CABINET PROPOSAL**

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### **CARDIFF REPLACEMENT LOCAL DEVELOPMENT PLAN: VISION, ISSUES AND OBJECTIVES & INTEGRATED SUSTAINABILITY APPRAISAL SCOPING REPORT**

#### **Reason for this Report**

1. The purpose of this report is to report back to Council the findings of the consultation undertaken on the Replacement Local Development Plan (LDP) draft Vision, Issues and Objectives and draft Integrated Sustainability Appraisal Scoping Report and to seek Council approval of the final versions, tabled in Appendix 1 and 2 to this report.

#### **Background**

2. The Replacement LDP Delivery Agreement was agreed by the Welsh Government in March 2021 and sets out the process and timetable for preparing the new plan. In accordance with the Agreement an extensive consultation and engagement exercise was undertaken for eight weeks between 28<sup>th</sup> May and 23<sup>rd</sup> July on the draft Vision, Issues and Objectives and draft Integrated Sustainability Appraisal Scoping Report.
3. This was the first consultation stage in preparation of the replacement LDP and has helped inform the consideration of a Vision and Objectives for the plan and the Integrated Sustainability Appraisal Scoping Report which sets out how the plan will be assessed.

#### **Issues**

##### **Vision and Objectives**

4. This report sets out the proposed Vision and Objectives that will form the core of the Preferred Strategy. They seek to provide an over-arching context for the plan that shows how economic, social and environmental considerations can be balanced to deliver the sustainable development of Cardiff up to 2036. They are based on the consideration of the identified issues and engagement process referred to above plus taking into account the strategic context. This strategic context includes the Council's Capital Ambition and Well-Being Plan, the Well-being Goals set out in the Well-being of Future Generations Act, key planning principles and national sustainable placemaking outcomes set out in national planning guidance

and Future Wales the National Plan 2040. Mitigating the impacts of the Pandemic upon the citizens of Cardiff is also identified.

5. It is important that the Vision and Objectives are agreed at this stage as they will be used to help provide a context to identify and assess strategic options together with the consideration of strategic sites. Further consultation and engagement will take place regarding the strategic options and strategic sites. This is planned for November 2021 to February 2022 and will provide the opportunity to formally gain feedback on the candidate sites that have recently been submitted. The results of this process will be presented in the Preferred Strategy that is planned to be taken to the September 2022 meeting of Council and will be subject to its own formal consultation process straight after approval in October/November 2022. A process has also been agreed with Scrutiny Services so the Scrutiny Committees have an opportunity to contribute to the development of the Preferred Strategy over the coming months.
6. Work is progressing on developing an evidence base for the plan so that it is informed by up to date information and supports the key issues that the plan should address.
7. As set out above in order to help inform the Vision and Objectives, an extensive consultation and engagement exercise was carried out for 8 weeks between 28<sup>th</sup> May and 23<sup>rd</sup> July 2021. Due to the current pandemic the Council was restricted to what type of consultation activities we could undertake and for this reason no public face to face meetings were held. However, in order to “adapt” to these pandemic restrictions and encourage active participation in this early stage of preparation of the plan the Council invested in the use of user friendly on-line consultation methods to capture responses to the issues and objectives. These included:
  - A virtual live launch event where the process was outlined and attendees had the opportunity to ask questions
  - The use of virtual consultation room technology with display panels, a short film to explain the process and an online survey which was completed by over 800 respondents;
  - A new bespoke user friendly website, which received approximately 4,000 visits during the consultation;
  - Extensive and targeted use of social media using Facebook, Twitter and Instagram to explain the process and publicise these consultation methods;
  - The use of existing networks to engage virtually with those who do not usually take part in LDP consultation, such as younger people and
  - An LDP mailbox where comments could be sent and any queries raised direct with the LDP Team.
8. Findings from this process have helped to draft the LDP Vision and Objectives. It has been noted that many strong themes emerging from the consultation process very closely mirror some of the key themes emerging through wider work, such as the recognition of responding to the pandemic and addressing climate change as key issues, the importance of

sustainable travel, the high value placed on parks and open spaces plus improving job opportunities and access to affordable housing. The consultation exercise has therefore very much added to findings coming from the strategic policy context and issues identified from the evidence base. A summary of the consultation and engagement findings can be found in Appendix 3.

9. The LDP Vision and Objectives have also been subject to an Integrated Sustainability Appraisal (ISA). This has assessed the draft Vision and Objectives against the ISA objectives where potential issues have been identified and suggestions for improving the Vision and Objectives have been made. Appendix 4 of this report provides a summary of the ISA process undertaken including proposed changes to the originally drafted text.

### **Integrated Sustainability Appraisal (ISA) Scoping Report**

10. The report sets out the ISA Scoping Report for the plan. The purpose of ISA is to identify the likely significant economic, social, environmental and cultural effects of the emerging plan, and to suggest measures to minimise any negative effects and maximise the positive ones. ISA helps to foster a more inclusive and transparent process of producing a LDP, and to ensure that the plan is integrated with other policies.
11. The Well-being of Future Generations Act 2015 places a duty on all public bodies to carry out sustainable development and work in accordance with the Sustainable Development Principle. In addition, the Planning and Compulsory Purchase Act requires that the body producing a LDP must contribute to achieving sustainable development; and requires local planning authorities to appraise the sustainability of their plans.
12. This ISA covers the following assessment processes:
  - **Sustainability appraisal / strategic environmental assessment (SA/SEA)** as required under the Environmental Assessment of Plans and Programmes (Wales) Regulations 2004 and the Planning and Compulsory Purchase Act 2004;
  - **Equalities assessment** as require by the Equalities Act
  - **Welsh language.** Bilingual Cardiff are undertaking a Welsh Language Impact Assessment of the plan, and this ISA will use key findings from that assessment; and
  - **Health Impact Assessment**

It also refers to the **Habitats Regulations Assessment** required under the Conservation of Habitats and Species Regulations 2017.

13. The five stages of ISA are set below:
  - A. Scoping
  - B. Assessment of Alternatives
  - C. Assessment of the Deposit Plan and preparation of the Sustainability Report
  - D. Consultation, examination and adoption of the plan
  - E. Monitoring

14. The Scoping Report is the first stage in the process and is largely an evidence gathering stage. The report sets out the current economic, social, environmental and cultural well-being context and baseline data and identifies sustainability issues and problems which are relevant to the area. This has enabled a set of objectives to be developed which are set out in the report and will form the framework to assess the effects of the plan policies and proposals. There is a requirement in the Regulations to consult on the ISA Scoping Report and as set out above this took place for 8 weeks between 28<sup>th</sup> May and 23<sup>rd</sup> July 2021 using the consultation methods set out above in paragraph 7.
15. Findings from this process have helped to draft the Integrated Sustainability Appraisal Scoping Report. A summary of consultation comments can be found in the ISA Scoping Report (Appendix 2).

### **Next Steps**

16. In terms of what happens next, the approval of the LDP Vision and Objectives will be followed by a consultation and engagement exercise on strategic options and strategic sites. This is currently planned to take place for 10 weeks commencing at the end of November 2021 and will involve the consultation methods set out above together with face to face meetings Covid restrictions permitting. These will target representative groups in the community, with a particular focus on traditionally hard to reach communities and those citizens with protected characteristics (see Appendix 5). In such a way, we are hoping to amplify those voices which otherwise may not engage in the LDP process. The results of this consultation will help to inform the level of growth considered appropriate for the Preferred Strategy and will also seek views on candidate sites submitted which will help identify the strategic sites to be included in the Preferred Strategy. It also provides an opportunity for the Council to raise awareness with stakeholders and the public of its commitment to delivering high quality well planned and sustainable neighbourhoods as set out in the Vision and Objectives
17. The Preferred Strategy is scheduled to be considered by Council in September 2022. It will contain the agreed Vision and Objectives together with an overall proposed strategy that shows how other strategic options were considered and assessed. The document will also indicate the locations of strategic sites considered necessary to deliver the preferred strategy. The Preferred Strategy will then be subject to full consultation in October/November 2022. The results of this process will help inform the preparation of the LDP Deposit Copy that is planned to be considered by Council in September 2023.

### **Scrutiny Consideration**

18. This report has been considered by Council's five Scrutiny Committees. Their comments are attached at appendix 6.

### **Reason for the Recommendation**

19. To agree the LDP Vision and Objectives and Integrated Sustainability Appraisal Scoping Report to provide a context for further work in preparing the LDP Preferred Strategy.

### **Legal Implications**

20. The Council has to be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards when making any policy decisions and consider the impact upon the Welsh language, The Council has to consider the Well-being of Future Generations (Wales) Act 2015 and how this strategy may improve the social, economic, environmental and cultural well-being of Wales.
21. The Well-Being of Future Generations (Wales) Act 2015 'the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
22. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well being goals. The well being objectives are set out in Cardiff's Corporate Plan 2019-22: <http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf>
23. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
24. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
  - Deliver an integrated approach to achieving the 7 national well-being goals
  - Work in collaboration with others to find shared sustainable solutions
  - Involve people from all sections of the community in the decisions which affect them
  - Look to the long term
  - Focus on prevention by understanding the root causes of problems
25. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link

below: <http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

26. Equality Duty. The Council has to satisfy its public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties) – the Public Sector Equality Duties (PSED). These duties require the Council to have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of ‘protected characteristics’. The ‘Protected characteristics’ are: • Age • Gender reassignment • Sex • Race – including ethnic or national origin, colour or nationality • Disability • Pregnancy and maternity • Marriage and civil partnership • Sexual orientation • Religion or belief – including lack of belief.

### **Financial Implications**

27. There are no direct financial implications arising from this report. However, the cost of undertaking a full review of the LDP will be significant. These costs are expected to be incurred over a number of years, with projected costs of c £ 1m over a 4 year period.
28. The 2020/21 Budget included a single year allocation of £300,000 from the Financial Resilience Mechanism (FRM) to fund LDP costs. This was not required in that year and carried forward to 2021/22 to meet expected costs. Funding for proceeding years will need to be considered as part of future budget settlements.

### **Human Resources Implications**

29. There are no HR implications for this report.

### **Property Implications**

30. There are no property implications for this report

## **CABINET PROPOSAL**

Council is recommended to approve the Replacement Local Development Vision and Objectives and Integrated Sustainability Appraisal Scoping Report.

## **THE CABINET**

23 September 2021

*The following Appendices are attached:*

Appendix 1: Proposed LDP Vision and Objectives

Appendix 2: Integrated Sustainability Appraisal Scoping Report

Appendix 3: Summary of consultation and engagement findings. (Part 1: Findings from Questionnaire Surveys, Part 2: Summary of comments received)

Appendix 4: Summary of Integrated Sustainability Appraisal of LDP Vision and Objectives

Appendix 5: Engagement Plan for Strategic Options and Sites Consultation

Appendix 6 – Scrutiny comments