


Agenda Item No:	5	
Committee:	Cabinet	
Date:	27 April 2026	
Report Title:	Fenland 50 - Local Plan Engagement & Governance	

1 Purpose / Summary

- 1.1 This report seeks approval for a new governance and delegation pathway to support the preparation of the "Fenland 50" Local Plan (2025–2050). Following the Council's resolution in December 2025 to withdraw the previous draft plan, the Council has transitioned to the "new style" plan-making system introduced by the Town and Country Planning (Local Planning) (England) Regulations 2026.
- 1.2 The 2026 Regulations mandate a strict 30-month preparation "clock" and a digital-first approach. To meet the scheduled submission date prior to March 2028, the Council requires an agile decision-making structure. This report proposes delegating authority for technical milestones to the Portfolio Holder for Planning and senior officers, while reserving major strategic policy decisions for Cabinet and Full Council. This ensures the Council can move at the necessary pace while maintaining effective democratic oversight.

2 Key Issues

- 2.1 The Council has a statutory duty to maintain an up-to-date Local Plan. Having formally withdrawn the 2019–2040 draft plan, the Council has reissued its Notice of Commencement under Regulation 19 of the 2026 Regulations. We are currently in a mandatory four-month notice period before the formal 30-month preparation timeline officially begins in July 2026.
- 2.2 Under the new system, the plan-making process is punctuated by three mandatory "Gateways"—checkpoints where an independent Inspector reviews our progress. To avoid procedural delays that could pause the 30-month clock, the Council must be able to update its Local Plan Timetable (Regulation 8) monthly and submit technical readiness assessments promptly. The proposed delegation pathway is designed to prevent committee lead-in times from causing slippage against these national deadlines.
- 2.3 A key requirement for passing Gateway 1 in July 2026 is the submission of a new Local Plan Engagement Strategy. This replaces the previous Statement of Community Involvement (SCI), which is no longer a statutory requirement. This new strategy will be informed by a Statutory Scoping Consultation (Regulation 20) scheduled for May 2026. Delegated authority is required to finalise this strategy following the consultation to ensure it is submitted in time for the July Gateway milestone.
- 2.4 While technical and procedural tasks are delegated to ensure efficiency, the governance pathway protects the role of Elected Members in shaping Fenland's

future. Major policy documents, including the Initial Proposals (Regulation 23) and the Publication Draft (Regulation 27), will remain subject to Cabinet and Full Council approval. Additionally, Member Seminars will be held after each Gateway to ensure all Councillors are briefed on the Inspector's advice and the next steps in the process.

3 Recommendations

3.1 That Cabinet:

- a) Note the progress made in commencing the "Fenland 50" Local Plan under the Town and Country Planning (Local Planning) (England) Regulations 2026 (the "2026 Regulations"), following the publication of the Notice of Intention to Commence (Regulation 19).
- b) Revoke the existing Statement of Community Involvement (SCI) and replace it with a new Local Plan Engagement Strategy and Neighbourhood Planning Protocol. This ensures compliance with the new digital-first participation standards required by the 2026 Regulations and wider national planning reforms.
- c) Delegate authority to the Head of Planning, in consultation with the Portfolio Holder for Planning, to maintain and publish the Local Plan Timetable in accordance with Regulation 8 of the 2026 Regulations.
- d) Delegate authority to the Head of Planning in consultation with the Portfolio Holder for Planning, to approve the consultation materials and launch the Statutory Scoping Consultation in May 2026, as required by Regulation 20 of the 2026 Regulations.
- e) Delegate authority to the Head of Planning in consultation with the Portfolio Holder for Planning to approve and submit all documents required for each Gateway stage, including the Gateway 1 Self-Assessment of Readiness (Regulation 21), responses to official Gateway advice, and any technical data packages needed to progress the 30-month timeline.
- f) Agree the approval route for the mandatory consultation stages:
 - Consultation on Proposed Local Plan Content and Evidence (Regulation 23): Initial proposals (6 weeks) to be approved by Cabinet.
 - Consultation on the Proposed Local Plan (Regulation 27): The Publication Draft Plan (8 weeks) to be approved by Full Council.
- g) Agree that a Member Seminar will be held following each statutory Gateway stage (Regulations 21, 26, and 31) to ensure Members are briefed on the observations and advice received from the appointed person (the Inspector) and the requirements for the subsequent preparation phase.

Wards Affected	All
Forward Plan Reference	KEY/17MAR26/01

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Background Papers	Local Plan Update report tabled at Cabinet on 15.12.26. Draft Cabinet Report - Local Plan CP 2.pdf

1 BACKGROUND AND INTENDED OUTCOMES

- 1.1 In December 2025, Fenland District Council resolved to withdraw the emerging Local Plan (2019–2040). This decision followed a period of slower-than-expected progress caused by national policy uncertainty, updated flood-risk data, and the potential for local government reorganisation. The Council determined that the previous draft plan no longer fully aligned with shifting local priorities—such as the nationally significant Fens Reservoir proposal and urgent infrastructure needs for health and education. By transitioning to a "new style" Local Plan, the Council aims to establish a framework that covers the period up to 2050, ensuring Fenland maintains a strong, influential voice in regional planning while proactively addressing local place-based issues.
- 1.2 Following the Council's resolution, the Planning Policy team has focused on this transition by formally withdrawing the 2019–2040 draft plan as permitted under Section 22 of the 2004 Act. During this initial phase, the Council launched a new "Call for Sites" to identify land for homes, jobs, and green spaces through to 2050 and reviewed existing technical work—including a robust 6.6-year housing land supply—to determine what data can be carried forward into the new process.
- 1.3 The Town and Country Planning (Local Planning) (England) Regulations 2026 officially came into effect on 25 March 2026, introducing a standardised, "digital-first" process for plan-making. To ensure full legal compliance, the Council has reissued its formal Notice of Commencement under Regulation 19. These regulations mandate a strict 30-month timetable for preparing Local Plans, structured around three "Gateways" where an independent Inspector assesses progress to ensure the process remains legally sound. Under this system, the Council must observe a four-month "Notice Period" before the formal 30-month preparation clock begins. This includes a Statutory Scoping consultation in May 2026 to meet Regulation 20 requirements and the submission of a "Self-Assessment of Readiness" in July 2026 under Regulation 21, which officially triggers the 30-month timeline. In line with updated spend profiling, the new Local Plan is scheduled for submission by March 2028.
- 1.4 As part of these reforms, the statutory requirement for a Statement of Community Involvement (SCI) has been removed to simplify the process. However, the Council remains committed to clear and inclusive engagement. To ensure stakeholders fully understand when and how they can participate, the Council will adopt a new Local Plan Engagement Strategy. This document is a formal requirement for passing Gateway 1 in July 2026. To ensure the strategy is effective and locally grounded, its final content will be informed by the feedback received during the Statutory Scoping Consultation in May 2026. This ensures that community involvement is integrated directly into the 30-month timeline, making it easier for residents and businesses to see where their input can shape the plan's development.
- 1.5 The intended outcome of this report is to establish a governance pathway that balances the need for speed with effective democratic oversight. Because the Council is essentially on a 30-month "stopwatch," an agile way of working is required to prevent the plan from falling behind. By delegating technical, day-to-day decisions—such as monthly timetable updates under Regulation 8 and

the submission of technical data to the Planning Inspectorate under Regulation 21—the Council can avoid delays caused by waiting for full committee cycles. This allows the Portfolio Holder and senior officers to act quickly on technical advice, keeping the project moving toward the March 2028 deadline.

2 REASONS FOR RECOMMENDATIONS

- 2.1 Following the Council's decision in December 2025 to move to the new plan-making system, these recommendations establish the necessary governance framework to deliver that commitment. The Town and Country Planning (Local Planning) (England) Regulations 2026 require a significantly faster pace of production than previous systems. Establishing a clear delegation pathway is essential to ensure the Council can meet the mandatory 30-month statutory "clock" without procedural delay.
- 2.2 The proposed delegations for technical and administrative tasks—such as monthly updates to the Local Plan Timetable under Regulation 8 and the submission of readiness assessments under Regulation 21—allow the project to maintain momentum. By enabling the Portfolio Holder and senior officers to act on technical requirements in real-time, the Council avoids the risk of the 30-month timeline being paused due to committee scheduling, which is a key requirement for a "digital-first" and streamlined process.
- 2.3 This governance model provides a clear balance between operational efficiency and democratic oversight. While day-to-day procedural milestones are delegated to ensure speed, the most significant strategic decisions remain the responsibility of Elected Members. Major policy stages, including the Initial Proposals (Regulation 23) and the Publication Draft (Regulation 27), will continue to require Cabinet and Full Council approval respectively.
- 2.4 Retiring the Statement of Community Involvement in favour of a modern Local Plan Engagement Strategy is a strategic necessity. This strategy is a core document required for the Gateway 1 Readiness Assessment in July 2026. By using the May scoping consultation to inform this strategy, the Council ensures the document meets the new "digital-first" participation standards while being shaped by actual stakeholder feedback. The proposed delegation allows the strategy to be refined and submitted promptly following the consultation, ensuring the Council meets the strict entry requirements for the 30-month statutory clock.
- 2.5 Implementing this specific delegation pathway minimizes the risk of the plan being found procedurally non-compliant. By building "Member Seminars" into the process following each of the three mandatory Gateways, the Council ensures that all Members are regularly briefed on the independent Inspector's advice. This ensures the plan remains legally robust and locally grounded as it moves toward its scheduled submission in March 2028.

3 CONSULTATION

- 3.1 No formal public consultation has been undertaken specifically regarding the proposed governance and delegation pathway set out in this report. There is no statutory requirement to consult the public on the internal mechanisms the

Council uses to manage its plan-making process or how it delegates authority to meet national deadlines.

- 3.2 However, this report follows a significant period of early engagement since the December 2025 resolution to move to the new system. This includes an initial scoping exercise and a "Call for Sites" which have already begun to shape the evidence base for the "Fenland 50" Local Plan.
- 3.3 Future public participation is centrally embedded within the new 30-month timeline. Following the approval of these recommendations, the Council will launch a statutory scoping consultation in May 2026 to meet the requirements of Regulation 20 of the 2026 Regulations. This will ensure that while the decision-making process is streamlined, the community remains fully involved in the development of the plan's vision and objectives

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The only alternative considered was to maintain a more traditional Member-led governance process for all stages. Under this option, every technical submission, timetable update, and minor procedural step would require approval through the full Committee and Cabinet cycle. While this offers high levels of direct involvement, the significant lead-in times required for committee scheduling would likely cause frequent delays. Given the strict 30-month "stopwatch" introduced by the 2026 Regulations, even minor slippage in the early stages could make the March 2028 submission deadline impossible to achieve. This could lead to wasted resources and potential intervention by the Secretary of State if the Council fails to maintain its statutory plan-making duties.

5 IMPLICATIONS

5.1 Legal Implications

- 5.2 The Council has a statutory duty under Section 15 of the Planning and Compulsory Purchase Act 2004 to prepare and maintain an up-to-date Local Plan. Failure to maintain an effective plan can lead to intervention by the Secretary of State under Section 27, which may include directing the preparation of a plan or applying financial sanctions.
- 5.3 The Council exercised its clear legal authority under Section 22 of the 2004 Act to withdraw the emerging 2019–2040 Local Plan in December 2025. Following this, the Council is now bound by the Town and Country Planning (Local Planning) (England) Regulations 2026, which introduced a mandatory "digital-first" framework and a fixed 30-month preparation timetable.
- 5.4 To remain compliant with these new regulations, the Council must adhere to strict procedural milestones. Regulation 19 requires the publication of a Notice of Commencement, which the Council has reissued to align with the March 2026 legal framework. Furthermore, Regulation 21 mandates a four-month notice period before the formal 30-month "clock" begins at Gateway 1. The proposed delegation pathway is essential to ensure these statutory windows are met without procedural delay.

- 5.5 The 2026 Regulations have removed the previous requirement for a Statement of Community Involvement (SCI). The Council's transition to a Local Plan Engagement Strategy ensures continued compliance with the general principles of the 2004 Act regarding public participation, while streamlining the process to fit the accelerated 30-month timeline.
- 5.6 There is a significant legal and practical risk in maintaining a traditional, non-delegated governance structure. If the Council fails to meet the milestones set out in the Local Plan Timetable (Regulation 8) or fails to pass the mandatory Gateway assessments (Regulations 21, 26, and 31), the plan may be delayed or found procedurally non-compliant.
- 5.7 The proposed delegations are legally sound and follow standard local government practice. By reserving major policy decisions (Regulations 23 and 27) for Cabinet and Full Council, the governance pathway ensures that the Council's constitutional role in approving the development plan is protected, while providing the administrative agility required by the 2026 Regulations.

5.8 Financial Implications

- 5.9 Withdrawing the emerging Local Plan and commencing a new one under the forthcoming plan-making system will have financial implications for the Council. The estimated cost of continuing to prepare a plan under the current system is between £682,000 and £850,500 (excluding salaries). These costs will primarily be met through the utilisation of government grants and existing planning reserves.
- 5.10 The General Fund Budget Estimates and Medium-Term Financial Strategy (MTFS) Report, agreed by Cabinet and Council in February, projects a financial shortfall for 2026/27 of £2.856m rising to £2.903 in 2027/28.
- 5.11 Although there are currently many uncertainties regarding the budget for 2026/27 and the MTFS, there remains a significant structural deficit which the Council will need to address.

5.12 Equality Implications

- 5.13 In assessing the implications of withdrawing the emerging Local Plan, the Council has considered its statutory obligations under the Equality Act 2010, including the Public Sector Equality Duty (PSED) in Section 149. As the emerging plan has not been formally adopted, it currently carries limited weight in the determination of planning applications. However, relevant supporting technical evidence, including the recently completed Gypsy and Traveller Accommodation Needs Assessment, remains current and may continue to inform decision making where appropriate.
- 5.14 The draft plan contained policies designed to address the needs of groups with protected characteristics, including measures relating to accessible and affordable housing, provision for Gypsy and Traveller communities, access to rural services, and health and wellbeing infrastructure. The preparation of a new Local Plan will provide an opportunity to review and refine policies to strengthen equality outcomes. Equality Impact Assessments (EqIA) will be undertaken at key stages to identify and address potential impacts on people with protected characteristics and embed equality considerations throughout the plan-making process.

5.15 In conclusion, the withdrawal of the emerging Local Plan does not conflict with the Council's statutory equality duties. Key technical evidence remains valid, the adopted Local Plan provides a positive policy context for planning inclusive communities, and the new plan-making process offers an opportunity to review and enhance equality-related policies.

6 SCHEDULES

None