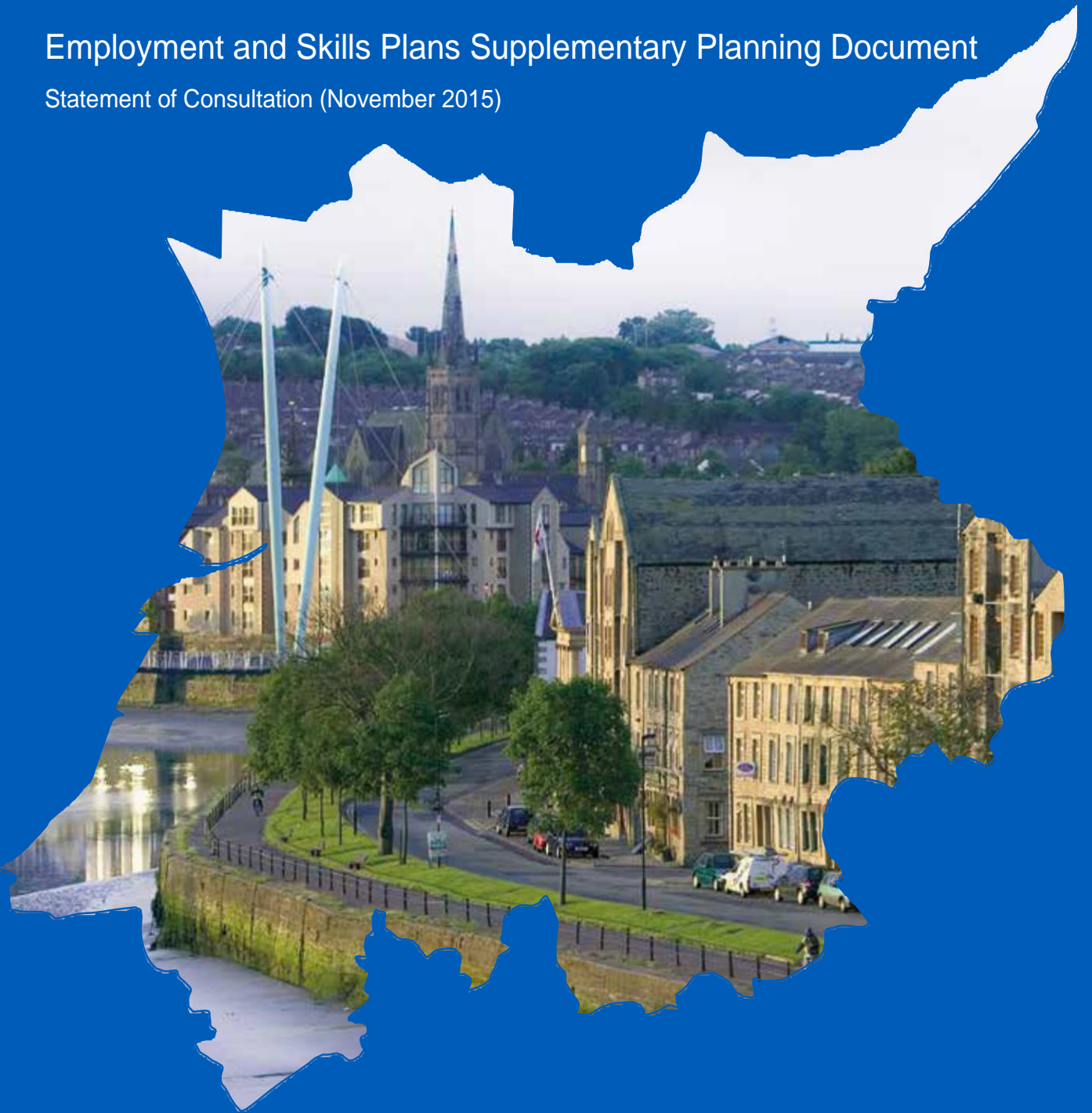


# A Local Plan for Lancaster District

## 2011-2031

Employment and Skills Plans Supplementary Planning Document

Statement of Consultation (November 2015)



LANCASTER  
CITY COUNCIL

*Promoting City, Coast & Countryside*

## **1. Introduction**

- 1.1 This statement of consultation sets out a summary of the responses received as part of the consultation on this SPD and includes an officer response to each representation and a relevant action, whether this is a change to the SPD or no change to the document. Where it has been agreed that a change is required to policy these amendments have been made to the final version of the SPD which accompanies this statement.
- 1.2 Further information is provided below to satisfy the requirements of Regulation 12 of the Town and Country Planning Regulations 2012.

## **2. Purpose of Supplementary Planning Documents**

- 2.1 Lancaster City Council adopted their Development Management DPD in December 2014 which contains a range of generic planning policies which are used by City Council Officers and Members to determine planning applications. The role of SPDs is to assist in the delivery of the Local Development Plan (in particular the Development Management DPD) where it is considered that further guidance is able to do so.
- 2.2 The Employment and Skills Plan SPD provides planning guidance in relation to the preparation of employment and skills plans within new development which primarily supports the application of Policy DM48 of the Development Management DPD. This SPD has been prepared in conjunction between the City Council's Planning and Economic Regeneration Services.

## **3. Consultation on the Preliminary Draft SPD**

- 3.1 In preparing this SPD the Council undertook a six week consultation period on a preliminary draft document and invited comments and shape its scope and content. The consultation period took place between Wednesday 14<sup>th</sup> January and Wednesday 25<sup>th</sup> February 2015.
- 3.2 In order to publicise the SPD, emails were set out to the Council's consultation database (of which there approximately 1,500 individuals representing a range of organisations and members of the public). The consultation period was also advertised on the Council's website and documents (including a matters statement) were made available to download from the website with hard copies available at local town halls and libraries.

## **4. Main Issues Raised during Consultation on the Preliminary Draft SPD**

- 4.1 The table provided in Appendix A of this Consultation Statement sets out the summary of all representations received in relation to the Employment and Skills Plans SPD. However, for the purpose of clarity the main issues raised included the following matters:
  - That flexibility is provided to ensure that the use of Employment and Skills Plans do not become a burden on new development coming forward, this flexibility should relate to the determination of whether such plans are necessary in the first instance than secondly via its application;

- That links to other authorities and best practice are provided to highlight the benefit Employment and Skills Plans;
- Recognition that some developers will already have training programmes which may be a more suitable route to securing local training opportunities;
- Recognition that planning conditions could provide an alternative, appropriate, route to securing Employment and Skills Plans; and
- The Council's Economic Development Team should be fully aware of all other planning considerations when determining the appropriateness of an Employment and Skills Plan.

## **5. How the SPD has been amended to take account of the Issues Raised**

5.1 Lancaster City Council have considered the comments raised at this initial round of consultation and have made a number of amendments to the SPD which, in the opinion of the Council, overcome any issues raised. These amendments include the following:

- To provide examples of where Employment and Skills Plans SPDs are used elsewhere in the country.
- To acknowledge that major developers may already have their own training schemes in place which are already consistent with the approach set out in the Employment and Skills Plan SPD.
- To acknowledge that the Employment and Skills Plan SPD seeks to address genuine training and skills gaps.
- To ensure that flexibility can be applied when considering the application of employment and skills plans, acknowledging that not all development proposals will be suitable for the application of employment and skills plans.
- To acknowledge that the employment and skills plans should not seek to unnecessarily overburden development in accordance with national planning guidance.
- Clarification of how employment and skills plans will be delivered through the planning process.

5.2 In making these amendments to the SPD the City Council feel that the document which is now being published represents a robust document which provides necessary and appropriate guidance to support Policy DM48 of the Development Management DPD.

## **6. Availability of Documents**

6.1 In accordance with Regulation 12(b), 13(c), 35 and 36 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Final Draft SPD and this Statement of Consultation will be made available for Inspection for a further 6 week period between Monday 9<sup>th</sup> November and Friday 18<sup>th</sup> December 2015. The documents will be made available for inspection at the following locations:

- Lancaster City Council Planning Policy Webpages at [www.lancaster.gov.uk/planningpolicy](http://www.lancaster.gov.uk/planningpolicy);
- At Lancaster and Morecambe Town Halls; and
- At the District's local libraries.

## **7. How to Comment on the Employment and Skills Plans SPD**

- 7.1 Should any persons have any further comment on the Draft SPD then these comments should be made before 5pm on Friday 9<sup>th</sup> November 2015 and should be made via email to the City Council at [planningpolicy@lancaster.gov.uk](mailto:planningpolicy@lancaster.gov.uk) or by post to the following address:

Planning and Housing Policy Section  
Planning and Regeneration  
Lancaster City Council  
Town Hall  
Dalton Square  
Lancaster  
LA1 1PJ

## **8. Next Steps – Adoption of the SPD**

- 8.1 It is likely that unless fundamental objections are received which the City Council accept as valid that the SPD in its current form will be adopted as part of the Local Plan for Lancaster District 2011 – 2031.
- 8.2 Should this course of action be taken it is likely that the Employment and Skills Plans SPD will be adopted in early 2016. Any decision to adopt this SPD will publicised in accordance with Regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

## Employment and Skills Plan SPD – Statement of Consultation November 2015

ID REF	NAME	ORGANISATION	PARA. REF	SUMMARY OF COMMENTS	RESPONSE	ACTION
1	Warren Hilton	Highways Agency	N/A	<ul style="list-style-type: none"> <li>No comments to make on this SPD.</li> </ul>	<ul style="list-style-type: none"> <li>Comments Noted</li> </ul>	No Change
2	Angela Gemmill	Marine Management Organisation	N/A	<ul style="list-style-type: none"> <li>No comments to make on this SPD.</li> </ul>	<ul style="list-style-type: none"> <li>Comments Noted.</li> </ul>	No Change
3	John Moran	Health and Safety Executive	N/A	<ul style="list-style-type: none"> <li>No comments to make on this SPD.</li> </ul>	<ul style="list-style-type: none"> <li>Comments Noted.</li> </ul>	No Change
4	Anneli Harrison	Office of Rail Regulation	N/A	<ul style="list-style-type: none"> <li>No comments to make on this SPD.</li> </ul>	<ul style="list-style-type: none"> <li>Comments Noted.</li> </ul>	No Change
5.	David Wood	Lancaster and Morecambe College	N/A	<ul style="list-style-type: none"> <li>Support for the preparation of this DPD.</li> <li>The SPD should include extra detail on sector trends, skills shortages, population profiles and other economic factors which can form the basis of a Lancaster and Morecambe Skills Strategy.</li> </ul>	<ul style="list-style-type: none"> <li>Support Noted.</li> <li>The Employment and Skills Plan SPD will address only element of the training and skills agenda and does not preclude further involvement by the City Council working with partners to prepare such a strategy as described.</li> </ul>	No Change
6	Hannah Bottomley	Natural England	N/A	<ul style="list-style-type: none"> <li>Natural England does not consider that this Employment and Skills Plan SPD poses any likely risk or opportunity in relation to our statutory purpose and so does not wish to comment on this consultation.</li> </ul>	<ul style="list-style-type: none"> <li>Comment Noted.</li> </ul>	No Change
7	Emily Hyrcan	English Heritage	N/A	<ul style="list-style-type: none"> <li>At this stage English Heritage have no comment to make on the content on this SPD.</li> </ul>	<ul style="list-style-type: none"> <li>Comment Noted.</li> </ul>	No Change
8	Aneesha Ray	Peel Ports	N/A	<ul style="list-style-type: none"> <li>It is recommended that flexibility is introduced to the SPD to make clear that for commercial floorspace the requirement for Employment and Skills Plans will not always be feasible.</li> </ul>	<ul style="list-style-type: none"> <li>Comment Noted. It is acknowledged that the requirement for Employment and Skills Plans will be exercised on a discretionary basis. This matter will be clarified in future drafts of the SPD. However, all development proposals which exceed the thresholds stated will be considered for their appropriateness in delivering an Employment and Skills Plan as part of the proposal.</li> </ul>	Change
9	David Alexander	N/A	Para 2.1	<ul style="list-style-type: none"> <li>It would strengthen the case for planning involvement if the wider context was expanded</li> </ul>	<ul style="list-style-type: none"> <li>Linkages to the wider planning context are set out in Section 1 of the SPD which links in with the</li> </ul>	No Change

Employment and Skills Plan SPD – Statement of Consultation November 2015

ID REF	NAME	ORGANISATION	PARA. REF	SUMMARY OF COMMENTS	RESPONSE	ACTION
				upon, connecting to the wider vision set out in the Core Strategy.	emerging Local Plan for Lancaster District 2011 – 2031.	
10	David Alexander	N/A	Para 2.2	<ul style="list-style-type: none"> <li>It would be helpful to provide examples of other local authorities work in this matter to provide good practice and clear evidence of the success of ESPs.</li> </ul>	<ul style="list-style-type: none"> <li>Comments noted. It is agreed that reference be added to highlight best practice examples from elsewhere in the country.</li> </ul>	Change
11	David Alexander	N/A	Para 2.7	<ul style="list-style-type: none"> <li>The opportunities and needs set out, especially the skills mismatch would provide an opportunity to demonstrate how the local authority can contribute to the ESP process.</li> </ul>	<ul style="list-style-type: none"> <li>Comments noted. The roles of key stakeholders (including the Council) is set out in Table 2 of the SPD. However, it is agreed that a further paragraph be added to clarify the Council's role.</li> </ul>	Change
12	David Alexander	N/A	Para 3.1	<ul style="list-style-type: none"> <li>Planning is more than simply creating the conditions for economic growth it would be helpful to set the wider planning context and vision for the district.</li> </ul>	<ul style="list-style-type: none"> <li>Comment noted. It is felt that the role of Employment and Skills Plans is to deliver economic benefits to local people. Whilst it is agreed that there will be wider benefits, particularly in relation to improving levels of deprivation, it is important that this SPD has a key purpose.</li> </ul>	No Change
13	David Alexander	N/A	Para 4.1	<ul style="list-style-type: none"> <li>This highlights the important links with existing college and training services across the district, but does not set out how they will operate within ESPs.</li> </ul>	<ul style="list-style-type: none"> <li>Paragraph 7.6 of the SPD sets out that college and training providers will play an important role in assessing the appropriateness of the ESPs.</li> </ul>	No Change
14	David Alexander	N/A	Para 4.2	<ul style="list-style-type: none"> <li>The Council need to provide clear evidence on how the figures in this paragraph have been selected. Are they based on illustrations of good practice ESPs from elsewhere?</li> </ul>	<ul style="list-style-type: none"> <li>Comment Noted. The figures relating to major commercial development proposals reflect government guidance. In relation to residential development the level of 10 dwellings is considered too low for ESPs to be implemented and could be prejudicial in delivering new development. Therefore a decision has been taken to double that threshold to 20 dwellings and introduce flexibility (in relation to both commercial and residential development). Whilst there is no evidence to justify such an increase it is felt that the thresholds provided (and the flexibility in their application) provides a reasonable approach.</li> </ul>	No Change

## Employment and Skills Plan SPD – Statement of Consultation November 2015

ID REF	NAME	ORGANISATION	PARA. REF	SUMMARY OF COMMENTS	RESPONSE	ACTION
15	David Alexander	N/A	Para 6.2	<ul style="list-style-type: none"> <li>This is a paragraph worth highlighting in view of the strong sustainability message that it contains regarding the self-contained labour market.</li> </ul>	<ul style="list-style-type: none"> <li>Comment noted.</li> </ul>	No Change
16	David Alexander	N/A	Para 6.4	<ul style="list-style-type: none"> <li>There could be a case for all focusing all available resources on the two pockets of Morecambe and North Lancaster with the view to making ESPs work and thus providing some sound practice examples to other developers across the district.</li> </ul>	<ul style="list-style-type: none"> <li>It is acknowledged that areas of North Lancaster and Morecambe suffer from significant levels of deprivation. However, the use of ESP's should not seek to positively discriminate towards specific geographical areas of the district and seek to improve the opportunities for any resident of the district, regardless of their residence.</li> </ul>	No Change
17	David Alexander	N/A	Para 7.1	<ul style="list-style-type: none"> <li>It would be useful to see how far good practice elsewhere has demonstrated success or otherwise with each employment and training measure. How much emphasis will be placed on common skills that are applicable across a much wider employment range.</li> </ul>	<ul style="list-style-type: none"> <li>Comments noted. Reference is provided on other authority areas which are applying Employment and Skills Plans. Consideration will be given to best practice examples from across the country.</li> </ul>	Change
18	Andrew Bridge	CITB	N/A	<ul style="list-style-type: none"> <li>The CITB is very supportive of the SPD developed by the Council and see this as an excellent way of creating local employment and skills opportunities on construction projects.</li> </ul>	<ul style="list-style-type: none"> <li>Support noted.</li> </ul>	No Change
19	Jeremy Pickup	Environment Agency	N/A	<ul style="list-style-type: none"> <li>No comments to make.</li> </ul>	<ul style="list-style-type: none"> <li>Comment noted.</li> </ul>	No Change
20	Matthew Good	Home Builders Federation	N/A	<ul style="list-style-type: none"> <li>Whilst the Home Builders Federation supports the need to improve skills and local employment opportunities many developers already provide such opportunities. The SPD in its current format the SPD is considered far too prescriptive and requires greater flexibility.</li> </ul>	<ul style="list-style-type: none"> <li>Comment noted. It is agreed that Section 4 will include revised wording to provide clarity that flexibility will be applied when considered appropriate.</li> </ul>	Change
21	Matthew Good	Home Builders Federation	Para 7.3	<ul style="list-style-type: none"> <li>This paragraph recognises that many developers have their own training programmes. Where these programmes are in place the requirement for an ESP negotiated through an s106 agreement would create unnecessary bureaucracy for all parties. The HBF therefore</li> </ul>	<ul style="list-style-type: none"> <li>As suggested in paragraph 7.3, a developers existing training programme will be fully taken into account when considering ESPs. It is agreed that a partial change is made to clarify that this will be a consideration when determining whether an ESP is necessary.</li> </ul>	Change

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ID REF	NAME	ORGANISATION	PARA. REF	SUMMARY OF COMMENTS	RESPONSE	ACTION
				recommends that where there is an existing training programme in place this should be used, rather than creating the need for an additional ESP.		
22	Matthew Good	Home Builders Federation	N/A	<ul style="list-style-type: none"> <li>The SPD does not appear to take account of the existing of the existing workforce and where new jobs can be created for all projects. A holistic approach to recruitment and training taking account of the needs of the developer, as a whole, must be considered. For example the developer may have its own build team and apprentices which can be transferred onto differing development projects. In such case the developer should not be required to employ additional staff. Such a requirement may have the perverse effect of making existing staff redundant to 'create' other jobs simply to fulfil the Employment and Skills Plan. It is recommended that the SPD provides clear guidance on such issues.</li> </ul>	<ul style="list-style-type: none"> <li>The SPD seeks to apply ESPs to major development projects where skills shortages have been identified.</li> <li>The most sustainable approach to identify how this skills shortage will be addressed should be through use of local people and apprenticeships. Such an approach is of greatest benefit to the local economy.</li> <li>The SPD will be applied flexibly and will take into account the developers existing training programmes when determining whether an ESP is required.</li> <li>Given the flexibility provided in the SPD there is no reason to suggest this circumstance will occur.</li> </ul>	No Change
23	David Thompson	Peel Holdings	N/A	<ul style="list-style-type: none"> <li>Peel Holdings support the production of a SPD to give guidance on the implementation of the provisions of Policy DM48, creating local jobs and skills can be an important and beneficial outcome from the delivery of new development.</li> </ul>	<ul style="list-style-type: none"> <li>Support noted.</li> </ul>	No Change
24	David Thompson	Peel Holdings	Paras 2.3, 5.1 & Table 2	<ul style="list-style-type: none"> <li>Peel do not consider it will be always necessary to use a Section 106 Agreement to secure the delivery of an ESP with planning conditions a possible alternative. The Council should preserve flexibility within the SPD to alternate between the use of s106 and conditions.</li> <li>Also it is not always possible to 'ensure' that local labour will be used as developers / occupiers are bound by employment law. The SPD should refer to 'encouraging', 'supporting' and 'promoting' rather than 'ensuring'.</li> </ul>	<ul style="list-style-type: none"> <li>Comments noted. It is acknowledged that depending on the nature of the application then the use of planning conditions may be an appropriate vehicle to deliver ESPs. The SPD will be clarified to reflect this.</li> <li>It is also agreed that the wording used in the SPD will be better reflective of the language used in Policy DM48 of the Development Management DPD.</li> </ul>	Change



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ID REF	NAME	ORGANISATION	PARA. REF	SUMMARY OF COMMENTS	RESPONSE	ACTION
25	David Thompson	Peel Holdings	Para 5.3	<ul style="list-style-type: none"> <li>It is essential that the Economic Development team have regard to and an awareness of other planning consideration and objectives related to a particular planning proposal. It is essential that the ESP does not become an unnecessary burden in the planning process.</li> </ul>	<ul style="list-style-type: none"> <li>Comment noted. It is acknowledged that the implementation of this SPD should be applied on a flexible basis with due consideration to the scale and location of development and the existing training programmes that may already be in place.</li> <li>The Economic Development team will be a key stakeholder in the planning application process and will provide a recommendation over the suitability of the scheme for an ESP. However, it will be for the Development Management Case Officer to come to a final decision over whether an ESP is appropriate having regard to all relevant factors.</li> </ul>	No Change
26	David Thompson	Peel Holdings	Table 2	<ul style="list-style-type: none"> <li>In light with previous comments made (ID REF 24) it will be important to acknowledge that it may not prove possible to achieve a rigid target. Overall it is important that flexibility is preserved in both the process of agreeing an ESP and its delivery.</li> </ul>	<ul style="list-style-type: none"> <li>Comment noted. It is agreed that providing flexibility in the determining whether an ESP is required is key. Reference to this already exists within the SPD however further wording will be provided to clarify this matter.</li> </ul>	Change
27	David Thompson	Peel Holdings	Paras 7.1 – 7.3	<ul style="list-style-type: none"> <li>Peel welcomes the intention to negotiate flexibly on a site-by-site basis in relation to the measures to be included in the ESP. Not all the items listed in paragraph 7.1 will be appropriate to all schemes.</li> <li>It should be recognised that the applicant who is seeking consent may not be the end-developer. With this in mind it is essential there is flexibility within an ESP that is agreed at the planning application / consent stage. It is essential that the ESP does not become a barrier to development.</li> <li>Peel welcome the content of paragraph 7.3 that development companies who may already have well established training programmes will be taken into account. This should avoid unnecessary duplication.</li> </ul>	<ul style="list-style-type: none"> <li>Support noted for both paragraphs 7.1 and 7.3 of the SPD.</li> <li>Comment noted. It is suggested that the flexibility provided within the SPD and, the clear intentions of developments made clear at the first instance, should ensure these circumstances do not arise.</li> </ul>	No Change

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ID REF	NAME	ORGANISATION	PARA. REF	SUMMARY OF COMMENTS	RESPONSE	ACTION
28	David Thompson	Peel Holdings	Para 7.4	<ul style="list-style-type: none"> <li>Peel requests that the Council provide a copy of Annex C of the CITB 'Client and Local Authority Guidance' which is intended to be included within the final SPD. Peel wishes to review this document and comment upon its suitability of use within the SPD. Again it is essential that the SPD is negotiated on a flexible and realistic basis.</li> </ul>	<ul style="list-style-type: none"> <li>Comment noted. Prior to the publication of the SPD the City Council will send the relevant documentation to Peel Holdings to allow comment to be passed on its suitability prior to the completion of the SPD.</li> </ul>	No Change
29	Lorayne Woodend	South Lakeland District Council	N/A	<ul style="list-style-type: none"> <li>No comments to make on this occasion.</li> </ul>	<ul style="list-style-type: none"> <li>Comments Noted.</li> </ul>	No Change