

## Cabinet

<b>Report Title</b>	New Local Plan Timetable and approval to commence plan-making
<b>Date of Meeting</b>	Wednesday, 11 March 2026
<b>Report Author</b>	Andy Miller
<b>Lead Officer</b>	Executive Director - Place
<b>Lead Cabinet Member(s)</b>	Cabinet Member for Housing
<b>Why is this a key decision?</b>	To be significant in terms of its effect on communities living or working in an area comprising two or more wards of the Borough.
<b>Wards Affected</b>	(All Wards);
<b>Identify exempt information and exemption category</b>	Open
<b>Is the report urgent?</b>	No
<b>Reasons for urgency (only where applicable)</b>	
<b>Appendices (if any)</b>	1. Local Plan Timetable.

### 1. Executive Summary

- 1.1 Recent reforms to the national planning system - introduced through new draft guidance on local plan preparation issued on 27 November 2025, the Government's consultation on a revised National Planning Policy Framework launched on 16 December 2025, and the enactment of the Planning & Infrastructure Act 2025 on 18 December 2025 - create a statutory requirement for Sandwell to prepare a new Local Plan to a fixed timetable and to publish a Local Plan Timetable. This report explains the implications of those new regulations and seeks Cabinet approval both to publish the timetable for preparing the next statutory Local Plan for Sandwell and to issue the required Notice to Commence Plan-making, forming the first formal stage of the new plan preparation process. The first formal stage in the plan preparation process requires the publication of a 'Notice to Commence Plan-making' and approval for this forms part of these recommendations.

## **2. Recommendations**

For the reasons set out in the report, Cabinet is recommended to:-

- 2.1 Delegate authority to the Executive Director – Place in conjunction with the Cabinet Member for Housing to take all actions necessary to comply with Government requirements to prepare a new local plan in accordance with the draft guidance issued by the Ministry of Housing Communities and Local Government on 27<sup>th</sup> November 2025.
- 2.2 Approve the Local Plan Timetable contained at Appendix 1.
- 2.3 Delegate authority to the Executive Director – Place in conjunction with the Cabinet Member for Housing to update and publish amendments to the Local Plan Timetable.
- 2.4 Approve the publication of the Notice to Commence Plan-making as required in the guidance issued by MHCLG on 27<sup>th</sup> November 2025.
- 2.5 Delegate authority to the Executive Director – Place in conjunction with the Cabinet Member for Housing to prepare and publish an engagement in line with guidance from the Ministry of Housing Communities and Local Government once published.

## **3. Proposals – Reasons for the recommendations**

- 3.1 Local Planning Authorities have a statutory duty under the Planning & Compulsory Purchase Act 2004 (as amended) to adopt an up-to-date local plan. The process for preparing a local plan and its form and content is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and in associated guidance and it should also be in accordance with the National Planning Policy Framework (NPPF) as amended from time to time.
- 3.2 The adopted local plan for Sandwell comprises the Black Country Core Strategy (2011), the Sandwell Site Allocations and Delivery Development Plan Document (2012) and the Area Action Plans for Smethwick (2008), Tipton (2008) and West Bromwich (2012).
- 3.3 All these documents will be superseded by the Sandwell Local Plan (SLP) which is currently at Examination stage and is anticipated to be adopted in early Summer 2026.
- 3.4 As a result of reforms to the planning system brought about through the Levelling Up & Regeneration Act 2023, revisions to the NPPF issued in 2023, 2024 and 2025, and the Planning & Infrastructure Act 2025, the process for preparing and adopting local plans, and their form and content, is changing. The circumstances that trigger a review has also changed.
- 3.5 The Ministry of Housing Communities & Local Government (MHCLG) issued new draft regulations covering the preparation of local plans on 27<sup>th</sup> November 2025. The main provisions are;

- 3.5.1 The replacement of the Local Development Scheme (LDS) with a new requirement to prepare and maintain a local plan timetable. The LDS is a published programme of plan-making activity and is usually updated annually following approval at Cabinet. The local plan timetable will, however, have to be updated on a monthly basis so for practical reasons will have to be delegated as an officer approval.
  - 3.5.2 If there is an operative Spatial Development Strategy (SDS) in place at the time, then Local Planning Authorities (LPAs) will be required to consult the relevant SDS authority (in our case West Midlands Combined Authority) on whether the proposed local plan is in general conformity with the strategy.
  - 3.5.3 The new test at examination will be “whether it is reasonable to conclude that the local plan is sound, in line with the tests of soundness set out in the National Planning Policy Framework.”
  - 3.5.4 After a local plan has been submitted for examination, the LPA may only withdraw the plan if the examiner recommends that they do so or if the Secretary of State directs that the plan is to be withdrawn. This eliminates the ability of an LPA to withdraw the plan for ‘political’ reasons, as has happened at several councils recently.
  - 3.5.5 Local Plans and Supplementary Plans must be published in searchable electronic formats.
- 3.6 Another matter that the new guidance addresses is that of Supplementary Planning Documents (SPDs). The new regulations state that no new SPDs can be adopted after 30th June 2026 and that all existing SPDs will fall away on adoption of a local plan under the new system. Many of the current SPDs in Sandwell will fall away anyway when the Sandwell Local Plan is adopted later this year as their provisions have been incorporated into that plan. The remainder will need to be assessed to understand how their provisions can be taken forward, if felt necessary, into the next local plan.
- 3.7 Whilst the guidance issued on 27<sup>th</sup> November is described as ‘draft and subject to amendment’, it has been issued to enable LPAs to see the direction of travel for the new plan making system and to make preparation for its implementation in a timely fashion. MHCLG will review the guidance and make any necessary revisions and updates as the new system is implemented, and related regulations and policy are confirmed.
- 3.8 The new regulations are very prescriptive on timescales. Local Plans must be adopted no later than thirty months from the date on which their preparation officially commenced. The basic process is;
- 1. Publish a ‘Notice to Commence Plan-making.
  - 2. Carry out statutory scoping consultation.
  - 3. Within 4 months of (1), commence plan-making.
  - 4. Within 15 months of (3), publish Draft plan for six weeks of consultation.
  - 5. Following (4), post consultation changes and Planning Inspectorate initial assessment.
  - 6. After end of (4), publish proposed Plan for eight weeks of consultation.
  - 7. 2 months after (6), submit Plan for Examination.
  - 8. 6-month period for Examination to take place.

9. Adoption (30 months after commencement).

3.9 For authorities that have recently adopted a local plan under the old system or will shortly do so, and where that plan meets less than 80% of local housing need, a notice to Commence Plan Making must be published by 30th June 2026 and plan making itself must commence by 31st October 2026. This applies to Sandwell.

3.10 Based on all of the above and subject to final MHCLG confirmation, the fixed timetable for the next local plan, hereafter referred to as Sandwell Local Plan 2 (or SLP2) will therefore be;

30<sup>th</sup> June 2026 - Latest date to publish Notice to Commence Plan-making.  
31<sup>st</sup> October 2026 – Latest date by which 30-month plan-making period must commence.

April 2029 – Deadline by which the Council must adopt the new Local Plan.

The full details of each stage of the process are included in the Local Plan Timetable at Appendix 1.

3.11 The regulations as drafted do not provide for any flexibility regarding these deadlines beyond the ability to bring them forward. There is no provision to extend the timetable as things stand. Some evidence gathering will have to commence immediately following the May 2026 local elections, and therefore prior to the publication of the Notice to Commence Plan-making, if this timetable is to be met.

3.12 The guidance issued on 27<sup>th</sup> November forms part of a wider set of planning reforms. Further reports to Cabinet may be necessary as the implications of these reforms become clearer.

#### **4. Alternative Options Considered**

4.1 Local planning authorities have a statutory duty to prepare and adopt an up-to-date local plan. The timetable and process for the plan's preparation are set out in statutory guidance and regulations issued by MHCLG.

4.2 Given the guidance issued on 27 November 2025 is draft in nature an option is to delay any decision making until such time as the Government issues the final guidance. However, as set out in paragraph 3.7 the draft guidance has been issued to enable LPAs to see the direction of travel for the new plan making system and to make preparation for its implementation in a timely fashion. Delaying the decision until the final guidance is issued would compromise the council's ability to deliver SLP2 in accordance with the timetable set out in the draft guidance. Therefore, this option is not recommended.

#### **5. Consultation**

5.1 The Local Plan Timetable is proscribed in the guidance and is therefore not subject to public consultation. However, the preparation of the local plan itself includes three rounds of public consultation prior to the plan being considered at an Examination.

## **6. Financial Implications**

- 6.1 There will be costs associated with the preparation of the local plan itself. It is intended that the costs associated with the preparation of SLP2 will be drawn from departmental reserves and from government grants made available to support plan preparation.
- 6.2 Until detailed guidance on evidence preparation is issued, and a better understanding of the evidence being prepared for the West Midlands Spatial Development Strategy that will also support local plans, it is difficult to be precise on the likely cost implications. However, a total budget for the works of £0.750m has been identified, with costs assumed over three financial years (2026/27 to 2028/29). The budget will be funded from Place directorate reserves. An initial draw from reserves of £0.180m in 2026/27 has been included within the Council's Medium-Term Financial Strategy of February 2026.

## **7. Legal and Governance Implications**

- 7.1 The process for the preparation of development plans is set out in the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

## **8. Risks**

- 8.1 The Council's Corporate Risk Management Strategy will be used to identify and assess the risks associated with preparing SLP2. Full details will be included in a future report as appropriate.

## **9. Equality and Diversity Implications (including the public sector equality duty)**

- 9.1 An Equalities Impact Assessment (EqIA) will be carried out for each stage of SLP2 and will continue to be updated until the document is submitted to the Secretary of State. This ensures that any impacts likely to affect local communities/groups/individuals can be taken into account when decisions are made on the content and direction of the local plan. Full details of the EqIA will be included in a future report as appropriate.

## **10. Other Relevant Implications**

### **Procurement implications**

- 10.1 There are no procurement implications directly arising from the course of action set out in this report. It will be necessary to commission external support to prepare some of the evidence required to underpin the local plan. The procurement routes chosen will depend on the nature and anticipated cost of each commission.

### **Resource Implications**

- 10.2 The are no direct resource implications arising from the course of action identified in this report beyond the financial implications set out in set out in Section 6 above.

### **Staffing implications**

- 10.3 There are no staffing implications arising from the course of action identified in this report.

### **Climate change**

- 10.4 Addressing Climate Change remains as major objective of the planning system. Local plans will continue to contain policies to assist with the mitigation of climate change and help to meet the climate change targets agreed by Sandwell Council.

## **11. Background Documents**

- 11.1 Previous reports to Cabinet and Full Council in relation to the preparation and submission of the Local Plan.

## **12. How does this deliver the objectives of the Strategic Themes?**

- 12.1 This report will support the delivery of the following Strategic Themes:
- **Growing up in Sandwell.** The planning system, the local plan and its supporting documents help to develop policies that will contribute to the delivery of facilities, services and opportunities for children and young people.
  - **Living in Sandwell.** The planning system, the local plan and its supporting documents play an important part in delivering the spatial and land use aspects of the Council's vision 2030, particularly as it relates to housing, employment, transport, environment and education goals.
  - **Healthy in Sandwell.** Health and wellbeing are key themes addressed throughout the local plan and the wider planning system. It promotes healthy living and creates opportunities for active lifestyles and healthy transport choices including walking, cycling and outdoor recreation.
  - **Thriving Economy in Sandwell.** The planning system, the local plan and its supporting documents provide the regeneration framework for future investments and projects.
  - **One Council One Team Approach.** Although produced by the Planning Policy Team, the local plan requires input from a number of teams across the council, including Climate Change, Parks and Countryside, Housing and Partnerships, Highways, Adult Services, Education. In turn, the policies it contains influences and supports the work of all of these areas.

## Relevance Check

**Budget Reduction/Service Area:**

**Service Lead**

**Date:**

In what ways does this Budget reduction have an impact on an outward facing service? How will the service feel different to your customers or potential customers?

N/A

If not, how does it impact on staff e.g. redundancies, pay grades, working conditions? Why are you confident that these staff changes will not affect the service that you provide?

N/A

Is a Customer Impact Assessment needed? No