

REPORT TO EXECUTIVE

Date of Meeting: 3 February 2026

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Report of: Ian Collinson: Strategic Director for Place

Title: The Exeter Plan – Process for agreeing proposed modifications at Examination

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 The Exeter Plan has been submitted to the Planning Inspectorate for its Examination which will take place in March and May 2026. The Examination will test the Plan's legal compliance and soundness. On this basis, the Inspectors will propose modifications to the Plan to ensure it is sound and can be taken forward towards adoption. Officers are required to have formal authorisation delegated to them in order to discuss and agree proposed modifications to the Plan at the Examination. This authorisation needs to be provided by Council. Modifications will be brought back to Executive in advance of public consultation. The final plan will be considered for adoption by Council.

2. Recommendations:

- 2.1 That the Executive notes the latest progress made on the Exeter Plan; and
- 2.2 That the Executive recommends to Council that delegated authority is provided to the Strategic Director for Place, in consultation with the Portfolio Holder for City Development, to authorise proposed modifications which may emerge during the Exeter Plan Examination necessary for the Plan to be considered sound.

3. Reasons for the recommendation:

- 3.1 To ensure that the necessary authorisation processes are in place in advance of the Exeter Plan Examination hearings to ensure the efficient progress of the Exeter Plan through its examination. The recommended process is the product of recent legal advice.

4. What are the resource implications including non-financial resources:

- 4.1 None. The recommendations are procedural only.

5. Section 151 Officer comments:

- 5.1 There are no additional financial implications for Council to consider.

6. What are the legal aspects?

6.1 The Exeter Plan is being prepared under the Planning and Compulsory Purchase Act 2004 (the 2004 Act). Section 20 Part 5 of the 2004 Act states that the purpose of Examination is to determine whether the Plan has been prepared in accordance with relevant processes, whether it is sound (defined as positively prepared, justified, effective and consistent with national policy as per the National Planning Policy Framework) and whether it complies with the duty to cooperate with a series of prescribed bodies.

6.2 As is standard practice, a series of proposed modifications will emerge from the Examination as required by the Planning Inspectors in accordance with Section 20 part 7 of the 2004 Act. Although these proposed modifications will be brought back to the Executive in full for approval for consultation after the Examination hearings, it is necessary for delegated authority to be in place to propose and/or agree modifications as they emerge during the Examination process.

7. Monitoring Officer's comments:

7.1 The Monitoring Officer has no additional comments.

8. Equality Act 2010 (The Act)

8.1 In recommending this proposal no potential impact has been identified on people with protected characteristics as determined by the Act because the report is procedural and for information only. The Publication Regulation 19 version of the Exeter Plan was subject to EQIA in November 2024.

9. Carbon Footprint (Environmental) Implications:

9.1 There are no direct carbon/environmental impacts arising from the recommendations because they are procedural and for information only. The Exeter Plan includes a series of policies which specifically address climate change mitigation and adaptation and challenges associated with the natural environment. The Exeter Plan has been subject to a full Sustainability Appraisal. Any future proposed modifications which emerge from the Examination of the Plan will be subject to Sustainability Appraisal following the Examination.

10. Report details:

Exeter Plan latest progress

10.1 The Exeter Plan was submitted to the Planning Inspectorate for its Examination in September 2025. In January, the programme and matters, issues and questions for the Examination were provided by the Planning Inspectorate. Further information is available here [INS-07: Inspectors' Hearing Programme - v1](#) and here [INS-06: Inspectors' Matters Issues Questions - v1](#).

10.2 The Local Plans team is now working towards the Examination hearings by preparing a series of hearing statements which provide answers to the questions raised by the Inspectors. The questions effectively provide the agenda and the structure for the discussions at the hearings. As with all Local Plans there are a large number of questions

and these are asked to assist the Inspectors with concluding on the soundness of the Plan.

Modifications to the Exeter Plan at Examination

10.3 The National Planning Policy Framework includes a small number of tests of soundness. These tests are that the Plan is:

- Positively prepared;
- Justified;
- Effective; and
- Consistent with national policy.

10.4 The Plan also has to be legally compliant – for example that it has been prepared in accordance with the duty to cooperate with prescribed bodies (such as other Councils).

10.5 As a result of the breadth of local plans, their statutory status, the interest in their content from third parties and the need to be in accordance with the tests of soundness, Inspectors invariably propose a series of modifications which are required to make the plan sound. These proposed modifications emerge from the discussions at the Examination hearings. Local Planning Authorities have to expressly ask the Planning Inspectorate to propose modifications required to make a plan sound and this was done through the letter which accompanied the submission of the Exeter Plan and which is available here csd-01_exeter-plan-submission-letter-to-planning-inspectorate.pdf .

10.6 To front-load some of the Examination discussion, a series of potential modifications which could be made to address representations made by third parties has been submitted alongside the plan. These are available online here https://exeter.gov.uk/media/cx1nhqx2/csd-03_exeter-plan-schedule-of-suggested-modifications.pdf . Because these are not proposed by the Inspectors, these are only informal.

Process for making modifications at Examination

10.7 Following the submission of the Exeter Plan, we have received legal advice that it would be prudent for officers to have specific delegated authority, in consultation with the Portfolio Holder for City Development, to agree proposed modifications which emerge from the Planning Inspectors at Examination. This delegated authority would be to the Strategic Director for Place. Having this delegation established in advance of the hearings should make them run more smoothly. In practical terms, it is likely that the Strategic Director for Place, Head of City Development and Assistant Service Lead – Local Plans will meet with the Portfolio Holder for City Development at the end of each of the four weeks of hearing sessions to discuss the emerging proposed modifications.

10.8 Notwithstanding this authorisation process, once drafted, the proposed modifications to the Exeter Plan will need to be subject to various assessments such as Sustainability Appraisal (as has already taken place with the existing version of the plan) and public consultation. The Executive will be asked to approve this consultation following the hearings, later in 2026. Subsequently, the Council will receive a report from the Inspectors concluding on the soundness of the Plan. Ultimately, the final version of the Plan, incorporating the modifications, will be taken to Council for adoption.

10.9 On this basis, it should be noted that approval is not sought for specific modifications at this stage.

Next steps in securing delegated authority

10.10 Contingent on the discussion and decision made at the Executive meeting on 3 February, the report will be taken to Council for consideration on 3 March.

11. How does the decision contribute to the Council's Corporate Plan?

11.1 The recommendations are procedural and for information and so will contribute to a 'well run Council' in terms of achieving efficient progress towards the Exeter Plan – a key Council project. Owing to its statutory nature and breadth of policy coverage, the Plan will support the delivery of all four strategic priorities of the Council:

- Local economy;
- Homes;
- People; and
- Sustainable environment.

12. What risks are there and how can they be reduced?

12.1 There is minimal risk associated with the recommendations; establishing a delegated officer process for agreeing proposed changes (which will be consulted on in future) has been identified by legal advice as being a requirement which will smooth the continued progress of the Exeter Plan through the Examination process to ensure that the final plan is ultimately considered 'sound' prior to adoption. The proposed changes themselves will be brought back to Executive at a later date for approval to consult. The final version of the Plan will be brought to Council for adoption in future.

13. Are there any other options?

13.1 There are two other options:

- Attend the Exeter Plan Examination without any established approval process in place to discuss and agree proposed modifications. This is not appropriate because it runs the risk of delaying the Examination and future progress of the Exeter Plan following the hearings.
- Arrange for the Portfolio Holder for City Development to attend all Examination sessions to agree Plan modifications. This is not considered proportionate nor reasonable.

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Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

Exeter Plan: Publication version: Regulation 19