

Report to COUNCIL

Ensuring Statutory Scrutiny and Enforceability for Places for Everyone Masterplans

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Reason for Decision

To report back to Council on the matters covered in the Motion agreed at Council in December 2025 on Ensuring Statutory Scrutiny and Enforceability for Places for Everyone Masterplans.

Recommendations

That council note the contents of this report and that it will no longer be possible to adopt Supplementary Planning Documents for Masterplans for Places for Everyone allocations.

Ensuring Statutory Scrutiny and Enforceability for Places for Everyone Masterplans**1 Background**

1.1 At Council on 10th December 2025, the following motion was proposed and agreed:

Council notes:

- 1) That Places for Everyone (PfE) forms part of Oldham Council's adopted planning policies, though opposition groups opposed Oldham's involvement.
- 2) That PfE policies for Beal Valley and Broadbent Moss require development to "*be in accordance with a comprehensive masterplan and design code as agreed by the local planning authority*," implying robust, enforceable guidance.
- 3) That the Beal Valley-Broadbent Moss masterplan is currently being pursued as a non-statutory document – meaning a document that is merely "*agreed*" by Cabinet without statutory public consultation under Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012, without a sustainability appraisal, and without formal adoption as a Supplementary Planning Document (SPD).
- 4) That Supplementary Planning Documents (SPDs) under the Planning and Compulsory Purchase Act 2004 (Section 19) and the 2012 Regulations provide statutory weight as material considerations, ensuring greater transparency and enforceability.
- 5) That a non-statutory approach carries lesser weight in planning decisions, potentially undermining PfE compliance and resident protections for complex sites like Beal Valley and Broadbent Moss (e.g., infrastructure needs, contamination risks, landslide issues).

Council believes:

- 1) That masterplans for PfE sites must undergo statutory processes to deliver enforceable policies, public scrutiny, and alignment with the National Planning Policy Framework.
- 2) Residents deserve binding safeguards for large-scale developments, especially where opposition exists.
- 3) Shifting to SPD status enhances certainty without delaying delivery, avoiding legal risks from inadequate processes.

Council resolves:

- 1) That the Beal Valley-Broadbent Moss masterplan (and future PfE masterplans) shall be pursued and adopted as a Supplementary Planning Document (SPD), requiring:
 - Council-led public consultation (min. 4 weeks, Regulation 12);
 - Sustainability appraisal;
 - Formal adoption by Cabinet, with Overview and Scrutiny Committee review.
- 2) The Monitoring Officer shall:
 - Confirm the masterplan's progression to SPD status within 3 months;
 - Advise on any procedural adjustments;
 - Ensure no non-statutory "agreement" precedes SPD adoption.
- 3) All PfE-related planning applications shall reference the adopted SPD as a material consideration, decided by the Planning Committee or delegated officers, with full transparency.
- 4) Officers to report progress to the Cabinet meeting in January, including timelines for consultation and adoption.

- 1.2 Subsequent to this officers provided an updated timetable for the preparation of an SPD for the Beal Valley-Broadbent Moss Masterplan to Cabinet for their meeting on 15 December 2025, as follows:

Approval stage	Date
Preparation of SPD and any associated appraisals	January / February 2026
Cabinet (approval to consult)	23 March 2026
Pre-Election Period	26 March – 7 May
Consultation	15 May to 14 June 2026
Review of Feedback and Refining SPD	June / July 2026
Summer Recess	August 2026
Place Scrutiny	September 2026 (date tbc)
Cabinet (adoption)	September 2026 (date tbc)

- 1.3 Notwithstanding this timetable, officers were able to prepare the SPD quickly enough to hold the consultation earlier, and approval was granted by [Cabinet on 23 February 2026](#) to consult on the draft SPD. Consultation on the [draft SPD](#) was then carried out between Wednesday 25 February 2026 to 12 noon on Monday 30 March 2026.
- 1.4 Following the public consultation, officers worked towards refining and finalising the Masterplan SPD with the intention of bringing the final SPD for adoption to Cabinet at the first available opportunity after the local elections, which would have been June. Unfortunately, some of the matters that needed to be addressed could not be done within that short timescale, and so the SPD was not ready for a Cabinet report in June.
- 1.5 In the meantime, on 2 March 2026, the Government explicitly confirmed in the explanatory notes for the [Levelling-up and Regeneration Act 2023 \(Commencement No. 11 and Saving and Transitional Provisions\) Regulations 2026](#) that, whilst transitional arrangements were put in place for existing SPDs to continue to be used as planning policy as England moves to a new-style Local Plan system, no further supplementary planning documents could be adopted after 30th June 2026. This reflects that going forward, SPDs will no longer form part of the new plan-making system that is being introduced.

2 Current Position

- 2.1 As a result of the transitional arrangements for the Levelling-up and Regeneration Act 2023, no SPDs can be pursued and adopted for the Beal-Valley-Broadbent Moss Masterplan or any other PfE allocation, and the resolution by Council in December 2025 cannot now be fulfilled.
- 2.2 Officers will continue to work with developers and promoters to prepare Masterplans, where the PfE policies require it, to guide development on PfE allocations, including utilising the already endorsed Masterplan for Beal Valley-Broadbent Moss. In this way, the development of the allocations will continue to come forward in accordance with PfE policy and in a co-ordinated manner that seeks to deliver high quality development and the necessary infrastructure needed to support the new development.

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- 2.3 Those Masterplans will not have the status of an SPD, but they will still be able to be material considerations in the decision-making process for planning applications on those allocations, as originally intended. As such, the council is recommended to note the above and that it will no longer be possible to adopt Supplementary Planning Documents for Masterplans for Places for Everyone allocations.
- 3 **Options/Alternatives**
- 3.1 There are no options or alternatives for this report – council is simply asked to note that the original intention of the Motion of Council from December 2025 can no longer be fulfilled due to changes in the Planning system at a national level.
- 4 **Preferred Option**
- 4.1 The council is asked to note the contents of this report and that it will no longer be possible to adopt Supplementary Planning Documents for Masterplans for Places for Everyone allocations.
- 5 **Consultation**
- 5.1 N/A
- 6 **Financial Implications**
- 6.1 There are no financial implications of this report.
- 7 **Legal Implications**
- 7.1 The report outlines the impact of the transitional provisions introduced under the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026, which prevent the adoption of new Supplementary Planning Documents after 30 June 2026. As a result, the Council is no longer able to implement the December 2025 resolution insofar as it required the Beal Valley-Broadbent Moss Masterplan, and future Places for Everyone masterplans, to be adopted as SPDs. Any masterplans prepared going forward will need to be considered and utilised through alternative planning mechanisms and may still be capable of being material considerations in planning decision-making where relevant. The report is for noting only.
(Alex Bougatef – Director of Legal, Monitoring Officer)
8. **Procurement Implications**
- 8.1 There are no procurement implications of this report.
- 9 **Equality Impact, including implications for Children and Young People**
- 9.1 No – given the report is only noting a change to the Planning system at national level that means the status of Masterplans on PfE allocations can no longer be as SPDs, there are no impacts on equality.
- 10 **Background Papers**
- 10.1 None
- 11 **Appendices**
- 13.1 None
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