



Ministry of Housing, Communities & Local Government

Rt Hon Matthew Pennycook MP
Minister of State for Housing and Planning
2 Marsham Street
London
SW1P 4DF

Cllr Oliver Freeston
Leader of North East Lincolnshire Council
Municipal Offices, Town Hall Square,
Grimsby,
North East Lincolnshire,
DN31 1HU

25 September 2026

Dear Cllr Freeston,

I am writing to you regarding the progress of the emerging North East Lincolnshire Council Local Plan ('the Plan'), following the meeting of your Council on 24 September.

The plan-led approach is, and must remain, the cornerstone of our planning system. This government remains determined to drive local plans to adoption as quickly as possible in order to achieve our ambition of universal plan coverage and to ensure that plans contribute positively to increasing rates of housebuilding and infrastructure delivery.

As you know, the benefits of an up-to-date local plan are significant. Local Plans are the best way for communities to shape decisions about how to deliver the housing and wider development their areas need. They enable local areas to set their strategy for future growth and their approach to protecting and enhancing the environment, and they provide the certainty and confidence required to bring development forward across the country. In the absence of an up-to-date plan, there is a high likelihood that development will come forward on a piecemeal and speculative basis, with reduced public engagement and fewer guarantees that it will make the most of an area's potential.

I note the Council's request for an extension to the current submission deadline. However, I have been clear that December 2026 remains the deadline for plans progressing under the legacy system. Any delay to plan progress risks jeopardising the Council's ability to submit its plan by that date. I am therefore concerned by the Council's decision not to progress the Regulation 19 Local Plan for consultation and subsequent submission for examination. As you know, considerable time, effort and investment has gone into the preparation of this emerging Plan. The decision not to progress it would not only see that time, effort and investment wasted, but would create further uncertainty and leave the Council exposed to ongoing speculative development as a result of not having an up-to date plan.

In light of these circumstances, I have considered the options available to me under the Planning and Compulsory Purchase Act 2004 (the 2004 Act), including exercising the Secretary of State's powers of intervention.

Section 27 of the 2004 Act provides the Secretary of State with broad default intervention powers where they believe a local planning authority is failing or omitting to do anything it is necessary for them to do in connection with the preparation, revision or adoption of its Local Plan.

I consider the Council's failure to support the Regulation 19 Local Plan consultation to be clear evidence of a failure to do something necessary in connection with the preparation of the Plan, particularly taking into account the very limited time to prepare a plan in the legacy planning system. Taken together, I consider that this meets the statutory test for intervention.

I have also considered the criteria laid out in the Planning Practice Guidance (PPG), which states that intervention under s.27 of the 2004 Act "should have regard to plan progress and local development needs":

- **Plan Progress:** The Council has not adopted since 2018 and accordingly the plan is over 5 years old. Given the proximity of the deadline for submission in the legacy planning system any delay to consultation risks the plan not being able to progress in this system and delaying the point at which there will be an adopted up to date plan.
- **Development Needs:** While the Council has a positive record of delivering against the Housing Delivery Test it does not currently able to demonstrate a five-year housing land supply. This is unlikely to change without an up-to-date local plan. As a result, the Council remains vulnerable to piecemeal and speculative development, with reduced public engagement and fewer guarantees that it will make the most of North East Lincolnshire's potential.

Taking the above into account, I have had regard to the intervention criteria and consider that intervention is justified for the reasons set out in this letter.

Pursuant to the powers in s.27 of the 2004 Act I am directing the Council as follows:

1. **Commence a Regulation 19 consultation on the emerging Plan that was published for consideration by Council on 24 September and to do so by no later than 30 September 2026 for a minimum period of 6 weeks;**
2. **Submit the emerging Plan consulted on under the above direction by no later than 31 December 2026 with any proposed minor modifications necessary after full consideration of representations received at consultation. Should proposed modifications be more significant this should be set out to the Secretary of State, to consider whether further action is necessary;**
3. **Not to take any step to withdraw the Plan and report monthly (from the date of this letter) to my officials on the progress of the Plan;**
4. **Progress the Plan up to the end of the examination process.**

Pursuant to s.27(8) of the 2004 Act, the Secretary of State has issued directions under s.27 in order to ensure that the Plan is afforded the best possible opportunity to be adopted under the legacy plan-making system. The intention is to ensure that local communities can comment on the draft Plan and to enable the Inspector to determine whether the Plan is legally compliant and sound.

Local planning authorities are required to publish and maintain a Local Development Scheme (LDS), as set out in s.15(1) of the 2004 Act and s.15(4) of the 2004 Act provides that the Secretary of State may direct changes to a local development scheme where they consider amendments necessary to ensure that the authority's development plan documents fully and effectively cover the whole area.

To ensure full and effective coverage, avoid delays to plan-making and allow for submission of the Local Plan for examination before the December 2026 deadline as per s.15(4) of the 2004 Act, I am directing the Council to:

5. Publish on your website a revised Local Development Scheme by latest 30 September 2026 to reflect directions set out above. For avoidance of doubt this should include the following specific milestones:

- **Regulation 19 consultation to commence by no later than 30 September 2026**
- **Submission of the Plan for examination should be no later than 31 December 2026.**

The above directions will remain in force until withdrawn by the Secretary of State. Should you fail to comply with the directions in this letter, I will consider taking further action.

Notwithstanding this direction I would like to give you an opportunity to set out by 2 October any exceptional circumstances which in your view suggest that intervention is not appropriate in this case. To be clear, this neither alters nor removes the direction set out in this letter.

My officials will maintain ongoing engagement with your officers and will be in touch shortly to discuss next steps.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Pennycook', with a large, sweeping flourish at the end.

RT HON MATTHEW PENNYCOOK MP
Minister of State for Housing and Planning