

Report To:	LOCAL PLAN DEVELOPMENT COMMITTEE
Date:	11TH SEPTEMBER 2023
Heading:	ASHFIELD LOCAL DEVELOPMENT SCHEME
Executive Lead Member:	NOT APPLICABLE
Ward/s:	ALL WARDS
Key Decision:	NO
Subject to Call-In:	NO

Purpose of Report

To present and approve the revised Ashfield Local Development Scheme (Appendix 1) which sets out the Council's programme for the production of the Ashfield Local Plan (2023 – 2040).

Recommendation(s)

Recommended to Cabinet that it resolves that the Revised Ashfield Local Development Scheme, as set out at Appendix 1, comes into effect on the 10th October 2023.

Reasons for Recommendation(s)

To adhere to the legal requirement to maintain an up to date Local Development Scheme under the provisions of the Planning and Compulsory Purchase Act 2004.

Alternative Options Considered

There is no alternative option as legislation requires the Council (as the local planning authority) to revise the Local Development Scheme at such time as they consider appropriate.

Detailed Information

The Council is required to produce a Local Development Scheme (LDS) that provides a programme for the production of the planning policy document (development plan document) that forms the Ashfield Local Plan. It is a procedural document which sets out how the Council is going to plan for development in its area and provides information to help ensure that local communities, businesses, developers, service and infrastructure providers can keep track of progress on the Local Plan. For the Council, it provides a basis for project and budget management of the Local Plan.

From a legal perspective the Planning and Compulsory Purchase Act 2004 (P&CP Act) requires that:

- Local planning authorities produce and publish a LDS.
- The Local Plan is prepared in accordance with the published LDS. It is a requirement to have an up-to-date LDS, and this is one of the tests of legal compliance at the examination of a Local Plan.
- Local Plan progress against the LDS timetable is monitored and published in annual monitoring reports.
- If the LDS is updated, a copy of any amendments made to the scheme are available to the public.

The existing LDS was approved in 2021 and is out of date. The LDS has been updated and is set out in Appendix One to the Report. It is proposed that Cabinet is recommended to approve the updated Ashfield Local Development Scheme from 10th October 2023.

Implications

Corporate Plan: Planning, and the Local Plan has a cross cutting role to play in helping to meet and deliver the priorities identified in the Corporate Plan. In particular, the Local Plan has a key responsibility in delivering the outcomes around the supply of appropriate and affordable homes, improving town centres, facilitating economic growth especially around transport hubs, and improving parks and green spaces.

Legal: Local Planning Authorities are required under the Planning and Compulsory Purchase Act 2004, to prepare and maintain a Local Development Scheme (LDS) which is updated when considered appropriate. Section 15(7) of the Act states that *‘To bring the scheme into effect, the local planning authority must resolve that the scheme is to have effect and in the resolution specify the date from which the scheme is to have effect.’* [RLD 25/08/2023]

Finance: There are no direct financial implications arising as a result of this report. [PH 24/08/2023].

Budget Area	Implication
General Fund – Revenue Budget	None.

General Fund – Capital Programme	None.
Housing Revenue Account – Revenue Budget	None.
Housing Revenue Account – Capital Programme	None.

Risk:

Risk	Mitigation
Legislation requires that a LDS be produced to set out the timetable for the production of the Local Plan. The Examination in Public will consider legal compliance which includes having an up to date LDS.	Approval of an up-to-date LDS as set out in Appendix 1 of this report.

Human Resources: There are no direct HR implications contained within this report.

Environmental/Sustainability: There are no environmental / sustainability implications for the LDS. A Sustainability Appraisal has been produced for the Local Plan.

Equalities: There are no equalities implications for the LDS, an equalities impact assessment will be produced for the Local Plan.

Other Implications: None

Reason(s) for Urgency: Not applicable.

Reason(s) for Exemption: Not applicable.

Background Papers

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