

<b>Report To:</b>	Cabinet	<b>Date:</b>	19 <sup>th</sup> January 2017
<b>Heading:</b>	UPDATE OF THE ASHFIELD LOCAL DEVELOPMENT SCHEME		
<b>Portfolio Holder:</b>	CLLR. DON DAVIES - DEPUTY LEADER AND ECONOMIC GROWTH		
<b>Ward/s:</b>	ALL WARDS		
<b>Key Decision:</b>	Yes		
<b>Subject To Call-In:</b>	Yes		

### **Purpose Of Report**

To update the Ashfield Local Development Scheme which sets out the Council's programme for the production of the planning policy document that form the Ashfield Local Plan.

### **Recommendation(s)**

It is recommended Cabinet resolve that the Ashfield Local Development Scheme, as set out in Appendix One, is approved and brought into effect from 1<sup>st</sup> February 2017.

### **Reasons For Recommendation(s)**

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

### **Alternative Options Considered (With Reasons Why Not Adopted)**

There is no alternative option as legislation requires the Council (as the local planning authority) must 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. The Planning and Compulsory Purchase Act 2004 (P&CP Act) sets out that the Council as the local planning authority must revise the LDS at such time as they consider appropriate. It is a legal requirement to have an up-to-date LDS, as this is one of the tests of legal compliance at the examination of a local plan.

The LDS was considered by Cabinet at its meeting of 22<sup>nd</sup> September 2016 under the 'Ashfield Publication of Local Plan (2017 to 2032)'. It formed one of a number of documents linked to the Local Plan. Cabinet resolved that the Council is recommended to approve/ratify the Publication Local Plan along with a number of other matters including recommending the approval of the revised Local Development Scheme. The LDS does not form part of the suite of documents that form development plan documents (the Local Plan) set out in The P&CP Act. Consequently, Cabinet rather than the Full Council, should have resolved that the scheme is to have effect and specified the date from which the LDF came into effect. This would follow the approach taken in versions of the LDS prior to the September 2016 version.

The revised LDS is set out in Appendix One to the Report. The LDS has been updated to reflect a number of factors, which includes:

- Setting out information on the development of the Local Plan 2017 to 2032.
- Identify that Selston Neighbourhood Plan and the Teversal Neighbourhood Plan are progressing.
- Setting out information on the community infrastructure levy.
- Appendix 3, Development Plan Schedule, being revised to include the amended Local Plan timetable.

It is recommended Cabinet resolve that the Ashfield Local Development Scheme, as set out in Appendix One, is approved and brought into effect from 1st February 2017.

## **Implications**

**Corporate Plan:** The LDS identifies the programme for the production of planning policy documents forming the Ashfield Local Plan, which is a key priority within the Corporate Plan.

**Legal:** Local Planning Authorities are required under the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011, to prepare and maintain a Local Development Scheme (LDS) which is update when considered appropriate. The Planning and Compulsory Purchase Act 2004, Section 15(7) 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. (Section 15 [7]).

**Finance:** There are no direct financial implication in relation to the approval of the updated LDS.

This report is effective from 19/01/2017 and has the following financial implications:

<b>Budget Area</b>	<b>Implication</b>
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

**Human Resources / Equality and Diversity:**

There are no direct HR implications contained within this report.

**Other Implications:**

No other implications have been identified.

**Reason(s) for Urgency (if applicable):**

-

**Background Papers**

-

**Report Author and Contact Officer**

Neil Oxby, Forward Planning  
Tel: 01624 567381  
Email: n.oxby@ashfield-dc.gov.uk

**Rob Mitchell**  
**CHIEF EXECUTIVE**

**Appendix One: Ashfield Local Development Scheme**