

<b>Report To:</b>	Cabinet	<b>Date:</b>	21 <sup>st</sup> September 2017
<b>Heading:</b>	UPDATE OF THE ASHFIELD LOCAL DEVELOPMENT SCHEME		
<b>Portfolio Holder:</b>	CLLR. DON DAVIS - 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 21st September 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.

Due to events outside of the Council's control the Council has not been able to progress the Local Plan in line with the timetable set out in the current LDS (considered by Cabinet at its meeting of 19<sup>th</sup> January 2017). As such the LDS has been revised to include the amended Local Plan timetable.

The revised LDS is set out in Appendix One to the Report.

It is recommended Cabinet resolve that the Ashfield Local Development Scheme, as set out in Appendix One, is approved and brought into effect from 21st September 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 updated 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 21/09/2017 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):** N/A

**Exempt Report:**

**Background Papers**

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