
**Report of Director of Place & Wellbeing
To
Portfolio Holder for Regeneration
On
10 April 2016**

Local Development Scheme

1. SUMMARY

- 1.1. The Local Development Scheme (LDS) is essentially the timetable for the production of the Council's Local Plan. It sets out the various stages of the process for the adoption of the Local Plan and indicative dates.
- 1.2. As part of the Council's Local Plan approach this document will need to be adopted by the Council and kept under review.
- 1.3. Unlike the previous LDS the updated LDS now includes reference to the other documents that make up the development plan for the district for example the Nottinghamshire County Mineral Waste Local Plan.
- 1.4. A copy of the Draft document is attached as Appendix A. It will be placed on the website once adopted and will be updated as and when required.

Key Decision – This is not a key decision as it simply relates to a timetable of forthcoming work.

2. RECOMMENDATION

Recommendation to Council

- (i) That the Local Development Scheme, as outlined in Appendix A, be adopted by the Council and have effect from 30th April 2017.
- (ii) To give delegated authority to the Director of Place and Wellbeing to make any necessary changes to update and publish the updated scheme following agreement with Overview and Scrutiny 2.

3. BACKGROUND

- 3.1 The Local Development Scheme (LDS) setting out the time line for the Local Plan has been updated to reflect the current Local Plan timetable.
- 3.2 Appendix A shows the proposed LDS for the Local Plan. This is essentially a list of documents the Council will be preparing and when they are expected to be prepared.
- 3.3 This timetable indicates that the overall Plan will be submitted for examination in early 2018. The timescale for examination is largely at the discretion of the Planning Inspectorate (PINS).
- 3.4 The LDS has been amended to allow for the public consultation on the results of the Housing and Economic Land Availability Assessment to be carried out in spring 2017 rather than early 2017 as this will allow the assessment of sites to be informed by key evidence base documents including the Sustainability Appraisal and Transport Study.
- 3.5 The updated LDS now includes reference to the other documents that make up the development plan for the district for example the Nottinghamshire County Minerals and Waste Local Plan. It also refers to the Warsop Neighbourhood Plan as, once this has been adopted by the District Council, it will also form part of the Local Development Plan.
- 3.6 Ensuring an adequate budget to retain and recruit staff and to pay for consultants to complete specialist aspects of evidence gathering is a key risk in meeting the timetable of the LDS. This risk can be partly managed through the consideration of seconding staff from elsewhere within the Council to support the Policy Team when appropriate, and ensuring the correct skills are developed in house and budgets are kept under review as work progresses on the Local Plan.
- 3.7 Unexpected and untimely changes in Government guidance or the interpretation of legislation by practitioners and PINS, usually demonstrated through other examinations is a key risk to the adoption of the local plan. To mitigate this risk, PINS will continue to be kept informed of Mansfield's progress with its emerging Local Plan. The Council will seek an advisory visit by PINS prior to the publication of the Draft Local Plan (Publication Version). In addition, decisions issued by PINS will be monitored to ensure soundness is maintained.

4 OPTIONS AVAILABLE

- 4.1 The LDS needs to be updated and therefore the only alternative option is to propose a different set of dates. However, the current approach is considered to be the best approach at present.

5 RISK ASSESSMENT OF RECOMMENDATIONS AND OPTIONS

Risk	Risk Assessment	Risk Level	Risk Management
Reputation	Adopting a new LDS avoids the risk of future criticism that the LDS is not up to date and current	Low.	The new LDS shows that the Council is committed bringing forward a Local Plan.
Legal	May face legal challenges in the future related to the Local Plan if we maintain an out of date LDS	Low	The revised LDS would prevent any legal challenge from being successful.

6. ALIGNMENT TO COUNCIL PRIORITIES

- 6.1 Production of a Local Plan is one of the specific actions that needs to be undertaken as part of the Corporate Priorities and the Local Development Scheme is central to that.

7. IMPLICATIONS

- 7.1 It is important to note that adoption of this document simply re-enforces our commitment to bringing forward a local plan and it will also help in providing for good community involvement in within the consultation periods.
- (a) Relevant Legislation – The Council is required to prepare a Local Development Scheme under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). It must be made publically available and kept up-to-date to ensure that local communities and interested parties can keep track of progress.
- (b) Human Rights - No impact as the document simply provides a timetable of intended work and is in accordance with legal requirements under the Planning Acts
- (c) Equality and Diversity No impact as the document is a simple work programme in accordance with legal requirements under the Planning Acts
- (d) Climate change and environmental sustainability- No impact as there are no changes to relevant policies as a result of the adoption of this document.
- (e) Crime and Disorder- No impact as there are no changes to relevant policies as a result of the adoption of this document.
- (f) Budget /Resource- This document does not in itself generate greater costs than those associated with meeting our legal duties.

8. COMMENTS OF STATUTORY OFFICERS

- (a) Head of Paid Service – No Specific Comments
- (b) Monitoring Officer – It is a legal requirement that all local planning authorities have an up-to-date LDS; without this, the Council will be failing to comply with the relevant legislation.
- (c) Section 151 Officer – No Specific Comments

9. CONSULTATION

None

10. BACKGROUND PAPERS

As this is essentially a work programme for the Local Plan, no specific consultation has taken place. The LDS has been the subject of a report to Overview and Scrutiny 2 on the 21st February 2017.

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