

Bolsover District Council

Planning Committee

15th October 2014

Bolsover Local Development Scheme - Timetable for the Preparation of the Local Plan

**Report of the Joint Assistant Director of Planning and Environmental Health
(Written by Planning Policy Manager)**

Purpose of the Report

- To seek approval to formally commence the preparation of a new single Local Plan.
- To advise Planning Committee of the proposed timetable for the production of the new Local Plan and the content of the Local Development Scheme (LDS).
- To seek authority to adopt the updated scheme, that it should take effect on 17th October 2014, and that it should be publicised on the Council's website.

1 Report Details

- 1.1 The Local Development Scheme is a timetable for the production of the Council's development plan documents. The intention is to assist the community's understanding and involvement in the Development Plan system; and to enable the Council, other agencies and key stakeholders to coordinate their investment programmes. The production of a Local Development Scheme is a statutory requirement¹. A copy of the Local Development Scheme is attached at Appendix A. A copy of the timetable for the preparation of the Local Plan can be found on page 16 of this document.
- 1.2 The Council regularly updates its Local Development Scheme to show which documents are under development and to reflect the latest advice on the development of new documents. The new Local Development Scheme will be the fifth that Bolsover District Council has prepared.
- 1.3 The outcome of a discussion between Members of the Local Plan Steering Group at its meeting on 27th July 2014 was that the Council should consider preparing a new single Local Plan. This LDS sets out the timescales for production of the new Bolsover District Local Plan, which will be a single Local Plan covering strategic policies and site allocations for the whole of Bolsover District. The LDS sets out the following key milestones:
- Initial Consultation on what the Plan should contain – Oct/Nov 2014
 - Consultation on options and alternatives – Oct/Nov 2015

¹ Under Section 15 of the Planning and Compulsory Purchase Act 2004 as amended by Section 111 of the Localism Act 2011

- Consultation on the Draft Plan – Sept/Oct 2016
- Consultation on Publication Plan – June/July 2017
- Submission – Nov 2017
- Adoption – Sept 2018

- 1.4 It is acknowledged that the proposed timescale for production of the Plan is lengthy and may be unpalatable for Members. However it is important to recognise that this broad timetable is underpinned by detailed project planning and work programming based upon the existing levels of resources available to the Planning Policy Team. It represents a realistic assessment of the time it will take to prepare the necessary evidence, write the plan, maintain ongoing dialogue with stakeholders and undertake consultation at key stages. Whilst a significant amount of work undertaken to support the previous Local Plan Strategy will be used as appropriate, we have to start the process again and we are now producing a single Local Plan that includes site allocations to cover the lifetime of the Plan up to 2033, which carries with it a significant amount of additional work.
- 1.5 It is important to note that there is potential to reduce the timescale for the Local Plan's production in the event that the Planning Policy Team is successful in securing additional resources. Opportunities for generating additional capacity within the team are currently being explored.
- 1.6 Progress on implementing the Local Development Scheme is reported each year in the Council's Annual Planning Monitoring Report. Significant slippage against the timetable or opportunities to bring forward the timescales for delivery of the Plan will prompt an update to the LDS.

2 Conclusions and Reasons for Recommendation

- 2.1 It is a statutory requirement that the Council prepare and maintain a Local Development Scheme, and revise it when appropriate. The Local Development Scheme needs to be updated to reflect both the form of the new Local Plan and timetable for its production.
- 2.2 The contents of this report were considered by the Local Plan Steering Group (LPSG) at its meeting on the 24th of September 2014, when the Group resolved to recommend to Planning Committee that the fifth Local Development Scheme (as attached at Appendix A) be adopted and take effect on 17th October 2014.

3 Consultation and Equality Impact

- 3.1 Other Officers involved in the preparation of this report were: Principal Planner (Policy), Principal Planner, and Assistant Planner.
- 3.2 Members consulted during the preparation of the report: Members of the Local Plan Steering Group.

3.3 An Equality Impact Assessment will be required in advance of publishing a new Local Plan.

4 Alternative Options and Reasons for Rejection

4.1 The preparation and maintenance of a Local Development Scheme is a statutory duty, there is no alternative option.

5 Implications

Finance and Risk Implications

5.1 The Local Development Scheme contains a section on risk assessment on the factors that have the potential to delay or even halt the production of the Local Plan. The issues and assessment of their associated risks is set out at Appendix 1 of the LDS. The main areas of risk relate to:

- Insufficient financial resources – in both preparing and maintaining the evidence base, and meeting the further statutory requirements to carry out consultation, monitoring, SEA/SA and the public hearing. The current Planning Policy budget and reserve is sufficient to fund the early stages of plan production in line with the LDS, however it is essential that budget levels are maintained in future years.
- Staff illness, recruitment and retention – the ability of the Council to meet its key milestones will be dependent upon maintaining staffing levels.
- Scale and nature of public responses - the LDS programme assumes an average response (based on past experience) in terms of representations. Unusually large numbers of respondents or complex or controversial objections could extend overall timescales.
- The capacity of other agencies to engage with the process is largely outside of the Council's control. Changes to legislation and to government policy or guidance over the period the Plan is in preparation.
- The possibility of Legal challenge.
- Additional unforeseen work such as Neighbourhood Planning – the Council has a statutory duty to support communities in the production of neighbourhood plans. In recent weeks the Council has been approached by 2 Parishes wishing to commence preparation of plans. There is currently no flexibility in the Planning Policy Team's staff resources or in the LDS timetable to accommodate this.

Legal Implications including Data Protection

5.2 The Council has a statutory duty to prepare and maintain a Local Development Scheme.

Human Resources Implications

5.3 The timetable for preparing the Local Plan is based upon the existing resource levels of the planning policy team.

6 Recommendations

6.1 That Planning Committee:

- 1) Approves the commencement of the preparation of a new single Local Plan;
- 2) Approves the timetable for the preparation of the Local Plan and the contents of the Fifth Local Development Scheme (as attached at Appendix A); and
- 3) Adopts the Scheme so that it should take effect on 17th October 2014, and authorises its publication on the Council's website.

7. Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	The Local Development Scheme sets out the Council's timetable for the development of key planning policy documents. As such it affects the following aims: SOCIAL INCLUSION – Promoting fairness, equality and lifelong learning. STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

8 **Document Information**

Appendix No	Title
A	Bolsover Council Fifth Local Development Scheme
<p>Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)</p>	
Report Author	Contact Number
Helen Fairfax	Ext 2299/7168