

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
3 December 2019

Subject: **REVISED LOCAL DEVELOPMENT SCHEME**

All Wards
Portfolio Holder for Planning: Councillor D A Webster

1.0 PURPOSE AND BACKGROUND:

- 1.1 A Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The Local Development Scheme sets out the timetable for the production of the Local Development Documents which make up the Council's Development Plan. The process for the preparation of a development plan is prescribed by statute and regulations which are reflected in the work programme. The Local Development Scheme must be made available publically and kept up-to-date.
- 1.2 On 16 September 2014 Council agreed to proceed with a new Local Plan, to completely replace the existing Local Development Framework. The new Local Plan will have a plan period running from adoption to the year 2035.
- 1.3 The preparation of the new Local Plan is well underway and the stages up to and including publication (Regulation 19) have been completed in accordance with the timescales set out in the current Local Development Scheme.
- 1.4 In July 2019 the Local Plan was published for representations (Regulation 19). The period closed on 17 September 2019. A total of 1125 representations were received during the period. Due to the number of representations the time required for understanding the issues they raise and responding will take longer than originally anticipated. As such the Local Plan will not be in a position to be submitted for examination until March 2020.
- 1.5 Part of the examination process will be for the inspector to assess whether the Local Plan has been prepared in accordance with applicable regulations. Part of the regulatory requirements is that the Local Plan has been prepared in line with the published Local Development Scheme. If the Local Plan were to be submitted in March 2020, without the submission date in the Local Development Scheme having been updated then the Local Plan would not meet this requirement.
- 1.6 A new Local Development Scheme has been prepared and is attached at Appendix 1. The revised timescale includes a revised date for submission, of March 2020. This has meant that the expected Adoption milestone has also had to be put back, to April 2021. A copy of the revised Local Development Scheme will be published on the Council's website.

2.0 LINK TO COUNCIL PRIORITIES:

- 2.1 The adoption of a new Local Plan is a priority project for the Council and will help to deliver the vision of Hambleton as a place to grow.

3.0 RISK ASSESSMENT:

3.1 There are no risks in approving the recommendation.

3.2 The key risk is in not approving the recommendation(s) as shown below:-

Risk	Implication	Gross Prob	Gross Imp	Gross Total	Preventative action	Net Prob	Net Imp	Net Total
The Local Plan is not prepared in accordance with the published Local Development Scheme, as required by section 15 of the Planning and Compulsory Purchase Act	The Local Plan could fail legal compliance test at examination	5	5	25	Publish the revised Local Development Scheme	2	5	10

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

3.3 As there are considered to be no risks with agreeing with the recommendations the risks of not agreeing them are outweighed.

4.0 FINANCIAL IMPLICATIONS:

4.1 There is no cost associated with the preparation and publication of the Local Development Scheme.

5.0 LEGAL IMPLICATIONS:

5.1 Failure to prepare the Local Plan in accordance with a published Local Development Scheme could result in a legal compliance failure at examination, as identified at 1.5 and in the risk assessment at section 3 above.

6.0 EQUALITY/DIVERSITY ISSUES

6.1 Equality and Diversity Issues have been considered, however there are no issues associated with this report.

7.0 RECOMMENDATION:

7.1 That Cabinet approves and recommends to Council the publication of the Local Development Scheme.

HELEN KEMP
DIRECTOR OF ECONOMY AND PLANNING

Background papers: None
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