



WARDS AFFECTED: ALL WARDS

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to set out the requirements for and to seek endorsement to a revised Local Development Scheme (LDS).

2. RECOMMENDATION

- 2.1 To request that Executive:

- Note the requirements for a review of the existing Local Development Scheme;
- Endorse the revised LDS programme and that the programme and supporting Local Development Scheme be considered for approval at Council on 19 February 2015.

3. BACKGROUND TO THE REPORT

- 3.1 A Local Development Scheme (LDS) is essentially each Local Planning Authority's (LPA) project plan for the preparation of Local Development Documents (LDDs) in accordance with the requirements of the Planning and Compulsory Purchase Act 2004.

- 3.2 LDDs can be either Development Plan Documents (DPDs) or Supplementary Planning Documents (SPDs) The Core Strategy, Area Action Plans, and any document which includes a site allocations policy, are prescribed as DPDs

- 3.3 These documents make up the Local Development Framework which is, effectively, a folder of the LDDs which provide the framework for delivering spatial planning strategy in the Borough.

- 3.4 At present, the Local Plan (2006 – 2026) for the Borough comprises the following local development documents (LDDs):

- i. the 'saved' policies of the Hinckley & Bosworth Local Plan (adopted 2001);
- ii. the Core Strategy (adopted 2009);
- iii. the Hinckley Town Centre Area Action Plan (adopted 2011);
- iv. the Earl Shilton and Barwell Area Action Plan (Adopted September 2014).
- v. a number of supplementary planning documents, and
- vi. will include the emerging Site Allocations and Development Management Policies DPD and the Gypsy and Traveller Allocations DPD

- 3.5 The Planning and Compulsory Purchase Act (PCPA) 2004 requires the Council, as the Local Planning Authority (LPA), to prepare and maintain its LDS and to revise it at such time as it considers appropriate.

- 3.6 The Localism Act 2011 and the NPPF have introduced changes which need to be reflected in the Council's LDS.

- 3.7 The existing Local Development Scheme was published in December 2013 (approved at Council 3 December 2013). The 2013 LDS programme sets out the key dates for the preparation and adoption of the remaining LDDs:

Table 1: Key dates for emerging LDDs (LDS 2013)

Local Development Document	Programmed date for Submission	Programmed date for Adoption
Site Allocations and Development Management Policies DPD	August 2014	June 2015
Earl Shilton and Barwell Area Action Plan	December 2013	July 2014
Gypsy and Traveller Allocations DPD	February 2016	October 2016

4 REVIEWING THE 2013 LDS PROGRAMME

4.1 Against the existing key dates set out in Table 1, a summary of the progress for each of the documents is set out below.

- i. **The Site Allocations DPD** was due for submission in August 2014. In light of the representations received it was necessary to make modifications to the DPD in order to reduce the possibility of the Planning Inspector finding the document unsound when it is considered at examination. Due to the nature of those changes it was necessary to consult upon the modifications proposed prior to submission, the consultation period was from 8 December 2014 to 30 January 2015.
- ii. **The Earl Shilton and Barwell AAP** was programmed for submission in December 2013, the Council met this deadline. The AAP was then heard by a Planning Inspector at an Examination in Public in March / April 2014 and was subsequently adopted in September 2014. The adoption date was later than programmed due to the requirement to consult on main modifications which was required by the Planning Inspector.
- iii. **The Gypsy and Traveller Allocations DPD** was programmed to begin in October 2013. The Borough Council approved an update Gypsies and Travellers Accommodation Needs Assessment (GTAA) at Executive (11 September 2013). The Council have made significant progress towards meeting this need within the borough by permitted suitable sites. An update to the GTAA is programmed for early 2015, the results will be used to inform the Gypsy and Traveller Allocations DPD.
- iv. The **Hinckley and Bosworth Local Plan Review** was programmed to commence in December 2014, work on the evidence to inform the plan has started in the form of a Strategic Housing Market Assessment which was completed in June 2014. Significant work was not started on the Local Plan in December 2014 as it was decided to focus resources on the completion of the Site Allocations and Development Management Policies DPD as a further round of consultation was required on the document prior to submission, which was not foreseen when the timetable was compiled.

5 REVISED LOCAL DEVELOPMENT SCHEME PROGRAMME

5.1 Appendix 1 sets out the draft Local Development Scheme, including the programme for the completion of the documents which will form the 'Local Plan 2006-2026' and for the initial preparation of an updated Local Plan. It is considered that a review of the Local Plan could be adopted by the end of the summer 2018. The NPPF states that a Local Plan should be drawn up over an appropriate time scale, preferably over a 15-year period. This would be consistent with other periods of review to adapt to changing legislation such as the Hinckley and Bosworth Local Plan adopted in 2001 and the Core Strategy adopted in 2009.

- 5.2 The Site Allocations and Development Management Policies DPD is in the final stages of preparation, an additional round of consultation was required before submission which is explained above.
- 5.3 The LDS Programme retains the inclusion of a separate Gypsy and Traveller Allocations DPD (G&TADPD). It is a statutory requirement for Local Authorities to plan for the provision of pitches for gypsy and travellers and pitch targets for travelling showpeople. It is considered that the Gypsy and Traveller Allocations DPD is informed by the emerging GTAA.
- 5.4 The inclusion of Neighbourhood Development Plans within the Local Development Scheme is not necessary as they are prepared by the community who dictate the timetable for preparation.
- 5.5 Whilst the Council has not entirely ruled out preparing a Community Infrastructure Levy Charging Schedule, a revised timetable for CIL has not been included within the LDS programme. However, this does not preclude a CIL charging schedule being prepared alongside a review of the Local Plan.

6. FINANCIAL IMPLICATIONS [KP]

- 6.1 The Council has in place an earmarked reserve to fund the costs associated with the production of all Local Plan documents. The balance of this reserve as at 1st April 2014 was £361,070. In accordance with the Medium Term Financial Strategy (MTFS), a transfer is made from General Fund balances annually based on the profile of expenditure for the following three financial years. A reforecast of the balance and transfers to/from reserves will be performed as part of the next iteration of the MTFS in March 2015

7. LEGAL IMPLICATIONS [MR]

- 7.1 None arising directly from this report.

8. CORPORATE PLAN IMPLICATIONS

- 8.1 The LDS sets out the programme for the preparation of the Borough Council's Local Plan. The documents comprising the Local Plan will contain policies and objectives contributing to the following aims of the Corporate Plan, which will be specified through individual reporting on each document.

- Creating a vibrant place to work and live.
- Empowering communities.
- Supporting individuals

9. CONSULTATION

- 9.1 The Local Plan would be prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

10. RISK IMPLICATIONS

- 10.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.
- 10.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project

have been identified, assessed and that controls are in place to manage them effectively.

- 10.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
The Site Allocations DPD and Gypsy and Traveller Allocations DPD are not considered legally compliant.	Ensure the publication and submission dates conform to the LDS.	Chief Planning and Development Officer
	Undertake legal compliance self-assessment prior to Submission.	Chief Planning and Development Officer

11. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

- 11.1 To set out a programme for the preparation of Local Plan for the Borough, identifying key stages for future consultation on the emerging and future planning framework.

12. CORPORATE IMPLICATIONS

- 12.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications – None arising from this report
- Environmental implications – None arising from this report
- ICT implications – None arising from this report
- Asset Management implications – None arising from this report
- Human Resources implications – None arising from this report
- Planning Implications – Contained within the body of the report
- Voluntary Sector – None arising from this report

Background papers: Local Development Scheme 2015 – 2018
Local Development Scheme Programme 2015 - 2018

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