

## REPORT TO CABINET

<b>Open/Exempt</b>		Would any decisions proposed :			
<b>Any especially affected Wards</b>	Mandatory/	Be entirely within Cabinet's powers to decide		YES	
	Discretionary /	Need to be recommendations to Council		NO	
	Operational	Is it a Key Decision		NO	
Lead Member: Councillor Richard Blunt E-mail:		Other Cabinet Members consulted:			
		Other Members consulted:			
Lead Officer: Claire May E-mail: Claire.may@west-norfolk.gov.uk Direct Dial: 01553 616237		Other Officers consulted: Stuart Ashworth			
Financial Implications NO	Policy/ Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment NO	Risk Management Implications Yes/NO	Environmental Considerations NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 21 June 2022

### LOCAL DEVELOPMENT SCHEME

#### Summary

This report seeks Cabinet approval of an up-to-date Local Development Scheme which accurately reflects the preparation stages of the Local Plan Review that have taken place and the anticipated examination and adoption timescales of the Local Plan.

#### Recommendation

That Cabinet approves the revised Local Development Scheme as set out in Appendix 1 to this report to come into effect from the 21 June 2022.

#### Reason for Decision

It is a legal requirement that local plans are prepared in accordance with the Local Development Scheme. The Inspectors for the Local Plan Review have requested an up-to-date Local Development Scheme which shows the correct submission date and corresponding changes to the timing of the Examination, receipt of Inspectors Report and adoption of the Plan.

### 1 Background

1.1 A Local Development Scheme specifies the documents which will comprise the development plan for the area and sets out the anticipated timescales for their preparation and adoption.

- 1.2 The Council is required to prepare and regularly review a Local Development Scheme under the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)<sup>1</sup>
- 1.3 Planning Practice Guidance re-iterates that Local Development Schemes must also be produced in compliance with any data standard for this purpose published by DLUHC and that it is expected to be reviewed and updated at least annually but may need updating more frequently if there are any significant changes in the timescales or the plans being prepared.
- 1.4 The current Local Development Scheme was approved by Cabinet in January 2021 and an amendment to the document was subsequently approved by Cabinet in June 2021<sup>2</sup>.
- 1.5 One of the legal tests for a Local Plan is that it has been prepared in accordance with the Council's Local Development Scheme<sup>3</sup>. The Local Plan Review was submitted to the Secretary of State for examination on the 29 March 2022. On the 5 May 2022 the Inspectors wrote to the Council requesting that an up-to-date Local Development Scheme be prepared which shows the correct submission date and corresponding changes to the timing of the Examination, receipt of Inspectors Report and adoption of the Plan.
- 1.6 Failure to have an up-to date Local Development Scheme may result in the Planning Inspector concluding that planning documents are not legally compliant.
- 1.7 This report seeks approval for the new Local Development Scheme (Appendix 1) for the Council which accords with the legislative requirements.

## **2 Options Considered**

- 2.1 No other options considered appropriate as the Council is required to prepare and regularly review an LDS under the provisions of the Planning and Compulsory Act 2004 as amended by the Localism Act 2011.

## **3 Policy Implications**

None

## **4 Financial Implications**

None

## **5 Personnel Implications**

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<sup>1</sup> Planning and Compulsory Purchase Act 2004 Reg 15  
<https://www.legislation.gov.uk/ukpga/2004/5/section/15>

<sup>2</sup> Current LDS available at [https://www.west-norfolk.gov.uk/info/20214/emerging\\_local\\_plan\\_review/500/local\\_development\\_scheme](https://www.west-norfolk.gov.uk/info/20214/emerging_local_plan_review/500/local_development_scheme)

<sup>3</sup> Planning and Compulsory Purchase Act 2004 Reg 19  
<https://www.legislation.gov.uk/ukpga/2004/5/section/19>

None

**6 Environmental Considerations**

None

**7 Statutory Considerations**

Preparation and review of a Local Development Scheme is a statutory requirement.

**8 Equality Impact Assessment (EIA)**

N/A

**9 Risk Management Implications**

Local Plan could be found not to have met the legal tests at the examination resulting in the Local Plan being found not to be 'sound'.

**10 Declarations of Interest / Dispensations Granted**

None

**11 Background Papers**

**APPENDICES**

**Appendix 1 Local Development Scheme 2022**

**Pre-Screening Equality Impact Assessment**

Borough Council of  
**King's Lynn & West Norfolk**



Name of policy/service/function	Local Development Scheme				
Is this a new or existing policy/service/function?	Existing				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>A Local Development Scheme specifies the documents which will comprise the development plan for the area and sets out the anticipated timescales for their preparation and adoption.</p> <p>Yes. The Council is required to prepare and regularly review a Local Development Scheme under the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)</p>				
<b>Question</b>	<b>Answer</b>				
<p><b>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups <b>according to their different protected characteristic</b>, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</b></p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			x	
	Disability			x	
	Gender			x	
	Gender Re-assignment			x	
	Marriage/civil partnership			x	
	Pregnancy & maternity			x	
	Race			x	
	Religion or belief			x	
	Sexual orientation			x	
	Other (eg low income)			x	

