

Title of Report	NOTIFICATION OF AN URGENT DECISION – NORTH WEST LEICESTERSHIRE LOCAL PLAN PARTIAL REVIEW	
Presented by	Councillor Robert Ashman 01530 273762 robert.ashman@nwleicestershire.gov.uk	
Background Papers	Report to Cabinet 16 July 2019	Public Report: Yes
	Report to Cabinet of 29 October 2019	Key Decision: Yes
Financial Implications	If the Local Plan becomes out-of-date it is likely that there will be an increased risk of planning applications being submitted which do not accord with the Local Plan and which the Council would wish to resist. This would then lead to more appeals which would lead to additional costs. A contingency budget is available which would cover most if not all of these costs.	
	Signed off by the Section 151 Officer: Yes	
Legal Implications	To ensure compliance with the Council's constitution	
	Signed off by the Deputy Monitoring Officer: Yes	
Staffing and Corporate Implications	None	
	Signed off by the Head of Paid Service: Yes	
Purpose of Report	In accordance with the Council's Constitution, to formally report that the Cabinet has taken a decision on which the Call-In process was suspended because it was considered to be urgent and, if delayed, the Council's interests would be seriously prejudiced.	
Recommendations	THAT COUNCIL NOTES THE REPORT	

1.0 BACKGROUND

- 1.1 At its meeting on 16 July 2019 Cabinet considered a report in respect of the Local Plan Review. The report noted that the original intention to submit the review within 2 years of commencement was no longer possible due to changes in circumstances since the Local Plan was adopted, including, the fact that Leicester City has to yet to declare the extent of any unmet housing need, uncertainty about both housing and employment land requirements and the publication of a new National Planning Policy Framework.
- 1.2 The report outlined what, in effect, is a two stage approach to the review of the Council's adopted Local Plan; namely a Partial review and a Substantive Review. It was proposed, and agreed by Cabinet, that the Partial Review should only address the need to review and revise Policy S1. This was so as to ensure that the Local Plan did not inadvertently become out-of-date.
- 1.3 Therefore, the only change that is proposed as part of the Partial Review is to change the date by which the (now) substantive review would be submitted.
- 1.4 In accordance with the relevant legislation for implementing development plan documents like the Local Plan, the Partial Review was referred to the Local Plan Committee. At its

meeting on 2 October 2019 a report was considered which outlined the proposed approach to the Local Plan review which was agreed by Cabinet and which sought approval from Local Plan Committee of a consultation document.

- 1.5 At the meeting of the Local Plan Committee an amendment to the recommendations was tabled. Following discussion the amendment was passed.
- 1.6 Whilst the Local Plan Committee has the authority under the relevant legislation to agree to publish documents for consultation, it does not have the authority to make changes to documents. Instead, it is required to instruct Cabinet (as the Executive) to reconsider documents. Therefore, this matter was referred to back to Cabinet for its consideration at an extraordinary meeting on 29 October 2019. A copy of the Cabinet report is attached at Appendix A of this report.

2.0 DECISION OF CABINET

- 2.1 Cabinet resolved to not agree to the amendment supported by the Local Plan Committee. The matter was, therefore, referred back to the Local Plan Committee at its meeting on 13 November 2019 whereby it was recommended that a consultation be undertaken as per the report to the Local Plan Committee of 2 October 2019. An update from the Local Plan Committee will be provided at the Council meeting.
- 2.2 The approval of the Chairman of the Council was given for exemption to the Council's Scrutiny Procedure Rules in relation to call-in.
- 2.3 As set out in Rule 13(g)(i) (call-in urgency) of Part 4.6 of the Council's Constitution, the call-in procedure may be suspended where:

"the decision being taken by the Cabinet is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests".

3.0 WHY IS THE DECISION OF CABINET URGENT?

- 3.1 Section 6 of the report to Cabinet on 29 October 2019 outlined that if the Council is to avoid the local plan being regarded as out-of-date it is necessary to submit the partial review for examination by 20 February 2020. Section 2 of the report addressed the implications of not submitting the Local Plan by 20 February 2020. The report concluded that the window of opportunity to do this is very tight and so it is essential that further delays are avoided. If the Local Plan becomes out-of-date this will prejudice the Council's ability to resist planning applications which it would have otherwise regarded as being inappropriate

Policies and other considerations, as appropriate	
Council Priorities:	The Local Plan supports the following priorities: <ul style="list-style-type: none"> - Supporting Coalville to be a more vibrant, family-friendly town - Support for businesses and helping people into local jobs - Developing a clean and green district - Local people live in high quality, affordable homes - Our communities are safe, healthy and connected
Policy Considerations:	None appropriate
Safeguarding:	No matters arising out of this report

Equalities/Diversity:	No matters arising out of this report
Customer Impact:	The Local Plan becoming out-of-date will result in more uncertainty for both applicants and local communities.
Economic and Social Impact:	The Local Plan becoming out-of-date could result in development taking place which the Council would not wish to support because of its potential impact from an economic and/or social point of view.
Environment and Climate Change:	The Local Plan becoming out-of-date could result in development taking place which the Council would not wish to support because of its potential impact from an environmental and/or climate change point of view.
Consultation/Community Engagement:	The Chairman of the Council
Risks:	For the reasons set out in the report to Cabinet the amendment proposed by the Local Plan Committee represents a significant risk to the Local Plan.
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