



# Delegated decision report

## **DECISION UNDER DELEGATED POWERS**

**DECISION CANNOT BE TAKEN BEFORE 27 OCTOBER 2017**

Title	<b>AGREEMENT OF THE PROPOSED LOCAL DEVELOPMENT SCHEME</b>
Report to	<b>CABINET MEMBER FOR PLANNING AND HOUSING</b>

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### EXECUTIVE SUMMARY

1. The purpose of this report is to agree the proposed local development scheme, which sets out the timetable for the review of the Island Plan Core Strategy and production of the new Island Planning Strategy.

### BACKGROUND

2. The Planning and Compulsory Purchase Act 2004 required local authorities to produce a local development scheme (LDS). The LDS sets out the Isle of Wight Council's project timetable for preparing its key planning documents.
3. The LDS now needs to be updated to reflect the review of the Island Plan Core Strategy. The review will result in a new planning document; the Island Planning Strategy. The proposed project timetable has been established with input from the Procurement and Contract Monitoring Team and the proposed timescales associated with preparing the Regeneration Strategy.
4. Agreeing the LDS will provide a level of certainty to residents, businesses, developers and investors over the intended timetable for the planning documents the council will be producing. The agreed version of the LDS will be made available on the council's website.

### STRATEGIC CONTEXT

5. The new planning document, the Island Planning Strategy, will set out the council's strategic and detailed planning policies and these will contribute to delivering a number of council priorities (as set out in the Corporate Plan). It will also be very closely linked to the Regeneration Strategy.

## CONSULTATION

6. The LDS is a project timetable and there is no requirement to consult on its preparation. Significant public consultation will be undertaken on the emerging Island Planning Strategy itself, and this will be linked to consultation associated with the emerging Regeneration Strategy.
7. The timescales set out in the LDS have been established with input from other services, and have been prepared in light of the resources that are available to deliver the review. They have been discussed and agreed with the Cabinet member.

## FINANCIAL / BUDGET IMPLICATIONS

8. There are no direct financial implications of agreeing the LDS. There will, however, be a budget implication for undertaking specialist evidence base work to support the Island Planning Strategy and this will be overseen by the head of place.

## LEGAL IMPLICATIONS

9. The content and procedural aspects of an LDS are governed by the Planning and Compulsory Purchase Act 2004 (as amended by [section 111](#) of the Localism Act 2011).
10. In accordance with the relevant legislation the local planning authority is under a duty to prepare and maintain their LDS, which includes an obligation to revise at such time as they consider appropriate.
11. To bring the LDS into force the council must resolve to adopt it and the date from the LDS is to have effect (Section 15(7) Planning and Compulsory Purchase Act 2004).

## EQUALITY AND DIVERSITY

12. The council, as a public body, is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
13. The LDS, as a project timetable, does not require an equalities impact assessment. However, it is worth noting that the local plan documents that it timetables will be subject to such an assessment.

## PROPERTY IMPLICATIONS

14. There will be no direct property implications from the LDS, although the planning documents it timetables may have implications for the council as a landowner and when undertaking its various functions.

## OPTIONS

15. The options are set out as follows:
- a) To agree the proposed LDS and bring it into effect on 7 November 2017.
  - b) To agree an alternative LDS and bring it into effect on 7 November 2017.
  - c) Not agree the LDS as proposed.
  - d) To authorise the head of place to make minor editorial amendments to the proposed LDS, in consultation with the Cabinet member for planning and housing, should they be required.

## RISK MANAGEMENT

16. Continuing with an out-of-date LDS is unlikely to comply with legislation, and could provide grounds for challenge during the Island Plan Review process. Furthermore, it increases the reputational risk to the council of continuing to have an out-of-date document publicly available. Officers consider that the draft LDS has followed the requirements highlighted in the Legal Implications section of this report.

## EVALUATION

17. Options a) and d) will ensure that the council has a realistic and up-to-date project programme for the Island Plan Review.

## RECOMMENDATION

18. Option a) - To agree the proposed LDS and bring it into effect on 7 November 2017.
19. Option d) - To authorise the head of place to make minor editorial amendments to the proposed LDS, in consultation with the Cabinet member for planning and housing, should they be required.

## APPENDICES ATTACHED

20. [Appendix](#) – Proposed Local Development Scheme.

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WENDY PERERA  
*Head of Place*

COUNCILLOR BARRY ABRAHAM  
*Cabinet Member for Planning and Housing*

Decision

Signed

Date

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