



**Bassetlaw**  
DISTRICT COUNCIL  
— North Nottinghamshire —

## **EXTRAORDINARY COUNCIL MEETING**

### **SUMMONS**

You are hereby summoned to attend  
An Extraordinary Meeting  
of Bassetlaw District Council  
to be held on  
**THURSDAY, 26<sup>th</sup> August 2021**  
**at 6.30 pm**  
in **The Town Hall, RETFORD, DN22 6DB**  
for the purpose of transacting  
the business on the agenda.

A handwritten signature in black ink, appearing to read 'D. Armiger'.

D Armiger  
Interim Chief Executive

Queen's Buildings,  
Worksop, S80 2AH

Dated 18<sup>th</sup> August 2021

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# **AGENDA**

**1. APOLOGIES**

**2. DECLARATIONS** To receive declarations of interest by Members and Officers

Members are reminded of the requirements of Section 106 of the Local Government Finance Act 1992 that they should declare and not vote on specified matters if they are two months or more in arrears with their Council Tax payments.

**3. REPORT(S) OF THE INTERIM CHIEF EXECUTIVE\***

- (a) Bassetlaw Local Plan (Key Decision No. 543) (pages 3-6)

**BASSETLAW DISTRICT COUNCIL**

**COUNCIL**

**26 August 2021**

**Report of the Interim Chief Executive**

**Bassetlaw Local Plan**

Contact: David Armiger

**1. Public Interest Test**

- 1.1 The author of this report, David Armiger, has determined that the report is not confidential.

**2. Purpose of the Report**

- 2.1 To outline the reason for calling this Extraordinary Council meeting and outline the background to item of stated business to be discussed at the meeting.
- 2.2 Paragraph 3.1 of Part 5 of the Council Constitution allows any five members of the Council if they have signed a requisition presented to the Chairman of the Council and to call an extraordinary meeting of the Council.

The Constitution also makes clear that the business of an extraordinary meeting shall be limited to consideration of the business contained within the requisition and will not include consideration of previous minutes of Council or Committees or other standing bodies or other business unless the agenda provides for their consideration.

- 2.3 A duly signed request has been made to the Chairman of Council requesting an extraordinary meeting of Bassetlaw District Council to be held on the week commencing 23 August 2021 to discuss the stated business below;

“This Council instructs officers to pause the development of the Bassetlaw Local Plan and orders the creation of a cross party sub-committee to review the draft local plan in its entirety.”

- 2.4 Having considered this request the Chairman duly instructed the Chief Executive to make arrangements for this Extraordinary Council meeting and this report sets out the context behind this request. This includes confirmation of the progress of the Bassetlaw Local Plan to date, it's current position and answers to potential questions that Members may have.

**3. Background and Discussion**

- 3.1 Councils are required by the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 to prepare a Local Plan for its area.

- 3.2 The Local Plan has to date been the subject of a number of key stages;  
 Initial Draft consultation, 2016  
 Draft Bassetlaw Plan: Strategic Plan consultation, 2019  
 Draft Bassetlaw Local Plan consultation, January 2020  
 Draft Bassetlaw Local Plan consultation, November 2020  
 Draft Bassetlaw Local Plan: Focussed Consultation, June 2021
- 3.3 The Plan has now reached a key stage having been the subject of the consultations stages required under Regulation 18 of the Act. Cabinet are due to consider a further report on 31 August 2021 which if approved would trigger the publication of the proposed submission version of the plan which will lead to submission of the plan to the Secretary of State for independent examination. The remaining steps of the Local Plan process can be summarised as;
1. **Publication** of the proposed submission version of the Local Plan, and a consultation on the soundness of the Plan (Regulations 19 and 20);
  2. **Submission** of the plan to the Secretary of State (Regulation 22);
  3. **Independent examination** by a planning inspector (Regulation 24); this involves an assessment against legal and procedural requirements and consideration of the 'soundness' of the plan at a public hearing;
  4. **Inspector's report** publication (Regulation 25); and,
  5. **Adoption** of the plan assuming it is found to be 'sound' by the inspector (Regulation 26).

At the current time Adoption of the Plan is anticipated to take place by the end of 2022.

- 3.4 In considering the proposal before Council to pause the plan there are a number of key issues that Members need to consider in reaching a conclusion which are set out below for information
- 3.4.1 Is it possible to pause the plan at this stage ?  
 Yes, plans can be paused, amended or withdrawn at any stage up until final adoption of the Plan.
- 3.4.2 What is the practical implication of pausing the plan ?  
 In reality the situation remains as it currently is in that the Council does not have an up to date plan.
- 3.4.3 If the plan is paused how long could this delay the potential adoption of the plan ?  
 This would depend on the extent of the revisions and the implications for the Plan.

Non-material revision, such as minor wording changes and the evidence can support the approach proposed, the delay could be 3-4 months.

If any changes materially altered the content of the Plan such as removing a strategic site or changing the housing numbers which would require additional evidence and further consultation this could take up to a year.

- 3.4.4 Are there any specific implications of a delay in adopting the plan ?  
 As the Council will not have an up to date, adopted Plan speculative, developer-led applications will continue. In addition, if the Local Plan does not progress and reach Submission by the time the Government introduce new planning legislation which is anticipated in this parliament, the Local Plan process will need to start afresh.

This will also mean that Neighbourhood Plans would become out of date and would need to be reviewed.

3.4.5 What controls would the Council have over speculative development ?

Any planning applications will have to be determined in accordance with existing Core Strategy which has limited strategic weight as it is over 5 years old. The Council retains a duty to determine any applications it receives and National Policy is clear that there is a presumption in favour of sustainable development. In reality this means that as our current plan is out-of-date we should be granting permission for applications that are sustainable. In addition, the fact that the Core Strategy is out of date raises the possibility of limiting what can be required in terms of infrastructure provision, as is the case with applications at present

**4. Implications**

a) For service users

For the reasons set out in the report, the adoption of a Local Plan provides certainty to service users about the Council's Planning Policies and specifically where and how new development will take place.

b) Strategic & Policy

The delivery of the Local Plan underpins a number of the key elements of the Council Plan.

c) Financial - Ref: 22/354

To date the plan has cost approximately £855,000, to prepare largely in relation to the evidence base that will ultimately required for the public Inquiry. At this stage, the specific financial implications of pausing the plan are difficult to quantify and will be dependant upon whether new sites are included in the plan and if the delay is of such a length that specific pieces of evidence need to be refreshed or renewed. The cost of a delay of more than a few months is however likely to be significant.

b) Legal – Ref: 346/08/2021

Paragraph 3.1 of Part 5 of the Council Constitution allows any five members of the Council if they have signed a requisition presented to the Chairman of the Council and to call an extraordinary meeting of the Council.

In addition, as indicated within the report, Councils are required by the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012 to prepare a Local Plan for their area.

c) Human Resources

None arising directly from the report.

f) Community Safety, Equalities, Environmental

There are no specific implications arising from this report.

g) General Data Protection Regulations

There are no specific implications arising from this report.

- h) This is a Key Decision number 543.

## **5. Options, Risks and Reasons for Recommendations**

- 5.1 In considering the proposal to instruct officers to pause the development of the Bassetlaw Local Plan and order the creation of a cross party sub-committee to review the draft local plan in its entirety Members should be aware of the issues raised within the report.

As progression and adoption of the plan is a matter for Council, Members have the right to request that the Local Plan is paused and instruct Officers to establish a cross party working group and where appropriate to undertake additional work.

The risks associated with such action are set out within the report to Cabinet of 31 August 2021 in that, in summary, if approval is not given for the proposed submission documents, the Council will not be able to meet the requirements of the Planning and Compulsory Purchase Act 2004 (as amended), the 2012 Town and Country Planning Regulations (as amended).

## **6. Recommendations**

- 6.1 That Council considers the proposal to instruct officers to pause the development of the Bassetlaw Local Plan and orders the creation of a cross party sub-committee to review the draft local plan in its entirety.

### **Background Papers**

### **Location**

None