

CABINET, Thursday, 2nd March, 2023

PRESENT: Councillor T Swift MBE (Chair)

Councillors: Scullion, Courtney, Dacre, Fenton-Glynn, Lynn, Patient and Wilkinson

99 APOLOGIES FOR ABSENCE

No apologies for absence were received.

(The meeting closed at 18.40.)

100 QUESTION TIME

The Leader, Councillor T Swift MBE, invited members of the public and Councillors to ask questions of the Leader and of the other Cabinet Members. An oral response would, if possible, be provided at the meeting, but if this was not possible a written response would be provided to the questioner within 7 working days. The full details of questions asked, and answers provided would also be published on the Council's website.

(a) A question was asked by Mr Greenwood

Councillor Dacre, Cabinet Member with responsibility for Resources, responded and advised that a written response would be provided to the question.

(b) A question was asked by Ms Carr

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy, responded and advised that a written response would be provided to the question.

(c) A question was asked by Councillor Bellenger

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy, responded and advised that a written response would be provided to the question.

(d) A question was asked by Councillor Holdsworth

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy, responded and advised that a written response would be provided to the question.

(e) A question was asked by Councillor Prashad

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy, responded and advised that a written response would be provided to the question.

101 LOCAL PLAN - INSPECTOR'S REPORT

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Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy presented a written report of the Director, Regeneration and Strategy which advised Members of the receipt of the Inspector's Report into the examination of the Calderdale Local Plan (CLP) and requested Cabinet to recommend to Council that the Local Plan be adopted. Having reached this stage in the preparation of the CLP, no further hearings would take place, nor could further major revisions be made. The Local Plan examination had closed.

Section 23 of the Planning and Compulsory Purchase Act stated that if a Planning Inspector found a local plan sound and legally compliant subject to Main Modifications, a local planning authority may adopt that local plan with the Main Modifications which the Inspector concluded were necessary for the plan to be sound and any additional modifications, which did not materially affect the policies that would be set out in the document if it was adopted with the main modifications only. The Council was not permitted to adopt the Local Plan without the Main Modifications. Proceeding to a vote on adoption of the CLP at Council was the final key stage in the plan making process and was necessary for the Local Plan to be formally adopted by the Council.

Cabinet must therefore decide whether it was prepared to recommend to Council that the CLP be adopted with the main modifications that the Inspector concluded were required to make it sound and legally compliant.

The report outlined background information, options considered, financial, legal, human resources and organisational development implications, consultation, environmental, health and economic implications, and equality and diversity implications.

Councillor Scullion, Deputy Leader and Cabinet Member with responsibility for Regeneration and Strategy outlined the process from the initial introduction of the Local Plan which was a high-level strategic document that included detailed policies and identified individual sites. Once adopted the Local Plan would replace the Calderdale Unitary Development Plan. She explained the Local Plan examination process and the role of the main modifications. The Plan was sound and legally compliant, and all applications would go through a robust planning process.

***RESOLVED that:**

(a) the Inspector's report on the soundness of the Calderdale Local Plan as per Appendix A of the Director, Regeneration and Strategy's written report be noted; and

(b) **it be recommended to Council that:**

(i) **the Calderdale Local Plan 2018/19 to 2032/33 (Appendix E), under Regulations 26 and 35 of the Town and Country (Local Planning) (England) Regulations 2012, which incorporated the main modifications (Appendix B and Appendix C) pursuant to section 23 of the Planning and Compulsory Purchase Act 2004 confirmed by the Inspector in her report (Appendix A), and the Council's additional (minor) modifications (Appendix G and Appendix H) be adopted;**

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(ii) the Calderdale Local Plan 2018/19 to 2032/33 Policies Map (Appendix F) which incorporated the Schedule of Main Modifications to the Policies Map (Appendix D) be adopted;

(iii) the content of the Adoption Statement (Appendix I) prepared in accordance with Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012) be noted;

(iv) the Sustainability Appraisal Post-Adoption Statement (Appendix J) be noted and taken into account; and

(v) subject to recommendation (i) the Director, Regeneration and Strategy in consultation with the Cabinet Member with responsibility for Regeneration and Strategy be given delegated authority to make any additional necessary minor textual, graphical, presentational or layout amendments to the Calderdale Local Plan (2018/19-2032/33) (Appendix E) and the accompanying Policies Map (Appendix F) to finalise the Plan prior to publication.