

Report of the Portfolio Holder for Economic Development and Asset Management

Broxtowe Local Plan - Notice of Intention

1. Purpose of Report

To seek approval to give notice that the Council intends to start producing the new Broxtowe Local Plan and to begin scoping work. The new Broxtowe Local Plan will be in accordance with all of the Council's corporate priorities, particularly providing a good quality home for everyone.

2. Recommendation

Cabinet is asked to RESOLVE that:

- 1. Formal notice be given to commence preparation of a new Broxtowe Local Plan in June 2026 in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2026;**
- 2. Delegated authority be given to the Interim Director of Planning and Economic Development, in consultation with the Leader and Deputy Leader, to agree and publish the local plan timetable in accordance with the government template and agree subsequent updates to the Broxtowe Local Plan timetable when necessary; and**
- 3. Delegated authority be given to the Interim Director of Planning and Economic Development to undertake necessary scoping work and evidence gathering to support the new Broxtowe Local Plan.**

3. Detail

The Levelling-up and Regeneration Act introduced a new plan-making framework, replacing the former system with a streamlined 30-month plan preparation process, structured around defined “gateways”.

Under this new system, local planning authorities must give notice of their intention to commence plan-making before starting the 30-month process. This is a statutory requirement intended to ensure transparency, early engagement and readiness prior to Gateway 1. Gateway 1 then comprises a self-assessment to ensure that the authority is ready to start the 30 month process of producing the plan.

Broxtowe Borough Council has recently been awarded new local plan funding of £108,475 which requires the Council to formally commit to preparing a new local plan within the new system and to meet the relevant procedural deadlines.

The new Broxtowe Local Plan will replace the existing local plans, including the Broxtowe Part 2 Local Plan which is now out of date due to adoption in 2019. It will include new site allocations and planning policies used to determine future planning applications. The Greater Nottingham Strategic Plan is currently at examination but has been produced under the old local plans system and does not include non strategic policies or non strategic site allocations.

Under the terms of the funding, the Council must publish a ‘notice to commence’ by 30 June 2026 and at least four months before Gateway 1 is reached. Failure to issue the required notice in the correct form and timescale would prevent the Council from validly entering the 30-month plan preparation process.

In accordance with national guidance, the Notice of Intention will include the following mandatory elements:

- Name of the planning authority preparing the plan: **Broxtowe Borough Council**
- Title of the plan, to be used consistently throughout plan-making: **Broxtowe Local Plan**
- Geographical area covered, including:
 - A written description of the area: **The administrative area of Broxtowe Borough Council**
 - A map showing the plan boundary: (to be included)
- Date of publication of the notice: **30 June 2026**
- Details of where the Local Plan timetable is published, including a web link: **Link to website.**
- Expected start date of the 30-month plan preparation process: **31 October 2026**

Scoping work is a critical early phase designed to ensure the Council is prepared to meaningfully pass Gateway 1 and commence the 30-month period with a clear evidence base and engagement strategy.

During the summer 2026, officers will undertake the following scoping and preparatory tasks:

- Early stakeholder engagement with statutory consultees and infrastructure providers.
- Baseline evidence review covering housing need, economic conditions, environmental constraints and infrastructure capacity.
- Review of existing plan performance and identification of key strategic issues.
- Preparation for and undertaking the focused scoping consultation, including methodology, engagement materials and consultation platform set-up.
- Development of the Local Plan timetable, aligned with gateway requirements.

This work will inform future reports to Policy Overview Working Group and Cabinet to determine the scope and contents of the Broxtowe Local Plan prior to undertaking periods of public consultation.

The plan making process includes three gateway stages at key milestones which must be passed through successfully to progress to the next stage of plan making. The stages include:

- Notice of Intention (June 2026): Give notice of the Council's intention to commence plan-making before starting the 30-month process.
- Gateway 1 (October 2026): The first gateway is a self-assessment stage of readiness for plan making including details of project management, timetable, approach to consultation and proposed local plan scope.
- Gateway 2 (September 2027): The second gateway is undertaken following the first consultation on the draft local plan where an appointed planning inspector will assess the soundness of the Plan.
- Gateway 3 (September 2028): The third gateway is undertaken following consultation on the proposed local plan and includes a final assessment by a planning inspector prior to submission of the Plan for examination.

Due to the terms of the Local Plan funding, the Council must commence work on the Broxtowe Local Plan based on the timetable above. However, the Council will have to consider any implications of Local Government Reform once further announcements have been made by the Government.

Notwithstanding the above, the Council will continue to work with authorities within the Greater Nottingham Planning Partnership to ensure that evidence based documents can be jointly commissioned and to ensure the Local Plans

are aligned where appropriate. Nottingham City Council and Rushcliffe Borough Council are both producing new Local Plans following the same timetable as Broxtowe.

4. Key Decision

This report is a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 as it would be significant in terms of its effects on communities living or working in an area comprising two or more Wards or electoral divisions in the Council's area.

5. Updates from Scrutiny

This report only relates to the intention to begin plan making. Future reports in respect of the scope of the Broxtowe Local Plan will require input from Policy Overview Working Group.

6. Financial Implications

The comments from the Interim Deputy Chief Executive and Section 151 Officer were as follows:

Whilst the new Broxtowe Local Plan could have a strategic impact on the Council's available resources going forward, there are no additional financial implications for the Council at this stage with any costs being contained within existing budgets. The grant funding received towards this purpose will be applied accordingly to support this Local plan work. Any significant budget implications in the future, over and above virement limits, would require approval by Cabinet.

7. Legal Implications:

The comments from the Head of Legal Services and Deputy Monitoring Officer were as follows:

Government guidance advises that if we are not intending to submit a plan under the existing system by 31 December 2026, the Council should begin plan-making in the new system as soon as possible to get an up-to-date plan in place. The 2026 Regulations set out dates for when we must start the plan.

These dates:

- are the very latest a plan can legally be started
- allow flexibility for the Council to start its plan earlier

The new local plan making system has reduced the plan-making time to a strict 30 month timetable. Government guidance further highlights the risks of non-compliance, whereby such failure carries the following risks of non-compliance

- Intervention by Secretary of State: The Secretary of State retains powers to intervene if an authority fails to make progress or fails to meet the 30-month timetable.
- Appointment of Commissioners: Independent Local Plan Commissioners may be appointed to take over plan-making duties from failing authorities.
- Losing Appeals and costs: In the absence of an up-to-date local plan, councils are at higher risk of losing planning appeals, particularly due to the potential reintroduction of a five-year land supply pressure and a "presumption in favour of sustainable development" for new development.
- Financial and Technical Risk: Failure to create a properly evidenced plan could lead to it being found unsound.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

The new Broxtowe Local Plan will be required to fully consider climate change implications through new site allocations and new planning policies. Climate change implications will also be considered through the Strategic Environmental Assessment.

11. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

12. Equality Impact Assessment

The notice of intention does not include new policies at this stage. Future iterations of a draft Local Plan will be subject to equality impact assessments.

13. Background Papers

Nil.