



## 2014 CHAPTER 8

### PART 10

#### COMMUNITY PLANNING

##### *Community plan*

##### **Production of community plan**

**68.—**(1) Once community planning for a district has reached the stage described in subsection (2), the council must produce a document (a “community plan”) containing the information described in subsection (3).

(2) The stage referred to in subsection (1) is reached when the council is of the opinion that the degree of consensus amongst the community planning partners and the council—

- (a) as to community plan objectives for the district is such that it is appropriate to set such objectives in the community plan; and
- (b) as to the actions to be performed and functions to be exercised for the purpose of achieving those objectives is such that it is appropriate to describe them in the community plan.

(3) The information to be contained in the community plan is—

- (a) a description of the community plan objectives which the council considers it appropriate to set having regard to the consensus referred to in subsection (2)(a); and
- (b) a description of the actions to be performed and functions to be exercised for the purpose of achieving those objectives which the council considers

it appropriate to include in the plan having regard to the consensus referred to in subsection (2)(b).

(4) The community plan—

- (a) must be produced as soon as is reasonably practicable after community planning for the district has reached the stage described in subsection (2); and
- (b) once produced, must be published as soon as is reasonably practicable by the council.

**Duty to review community plan**

**69.**—(1) A review must be completed in accordance with section 70—

- (a) before the fourth anniversary of the date on which the community plan was published under section 68(4); and
- (b) subsequently, before the fourth anniversary of the date on which the last such review was completed.

(2) For the purposes of this section and section 70, a community plan review is completed on—

- (a) the date on which an amended community plan is published under section 70(6); or
- (b) if a review does not result in any amendment to a community plan, the date on which the council decided that it was not required under section 70(4) to amend the plan.

**Review of community plan**

**70.**—(1) This section sets out the process by which a community plan must be reviewed.

(2) A council and, subject to subsection (3), its community planning partners must—

- (a) taking into account any statement published under section 71(3) since the community plan was produced or (as the case may be) its last review was completed, consider the extent to which—
  - (i) the community plan objectives contained in the plan have been met; and
  - (ii) if an objective has not been met, progress has been made towards meeting the objective;
- (b) in the light of the consideration under paragraph (a) and any other factors which the council or a partner thinks appropriate, consider—
  - (i) whether the community plan objectives should be modified;

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*Status: This is the original version (as it was originally enacted).*

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- (ii) whether new objectives should be set;
  - (iii) whether the plan's description of the actions to be taken and functions to be exercised for the purpose of achieving a community plan objective should be modified (whether in the light of a modification of an objective or for any other reason);
  - (iv) where the council or partner considers that a new objective should be set, which actions should be taken and which functions exercised for the purpose of achieving the objective.
- (3) A community planning partner's duty under subsection (2) extends only to matters connected with its functions.
- (4) If the requirement in subsection (5) is met a council must, following the consideration required by subsection (2), amend the community plan for its district by doing all or any of the following—
- (a) modifying the community plan objectives;
  - (b) setting new objectives;
  - (c) modifying the actions to be taken and functions to be exercised for the purpose of achieving a community plan objective;
  - (d) describing the actions to be taken and functions to be exercised for the purpose of achieving a new objective.
- (5) The requirement is that, in relation to a proposed amendment, the council is of the opinion that the degree of consensus amongst the community planning partners and the council in relation to the amendment is such that it is appropriate to make the amendment.
- (6) The council must, as soon as is reasonably practicable after becoming subject to the duty under subsection (4), publish an amended community plan.

### **Monitoring**

- 71.—**(1) A council and its community planning partners must ensure that arrangements are made for monitoring—
- (a) progress made towards meeting the community plan objectives for the district contained in the current community plan; and
  - (b) the effectiveness of actions taken and functions exercised for the purpose of meeting those objectives.
- (2) A community planning partner's duty under subsection (1) extends only to matters connected with its functions.
- (3) A council must at least once every two years publish a statement which describes—
- (a) progress made and outcomes achieved in meeting the community plan objectives for its district; and

(b) actions taken and functions exercised for the purpose of meeting those objectives.

(4) It is the duty of each community planning partner of a council to provide such information as the council may reasonably require in order to enable it to comply with its duty under subsection (3).

(5) The first statement under subsection (3) must be produced within two years of the date on which a community plan is published under section 68(4).

### **Implementation**

**72.—(1)** This section applies to a council or one of its community planning partners if the current community plan for the district describes—

- (a) an action to be performed by the council or partner for the purpose of achieving a community plan objective; or
- (b) a function to be exercised by the council or partner for the purpose of achieving a community plan objective.

(2) The council or community planning partner must take all reasonable steps to perform the action or exercise the function in accordance with the community plan.