

**DUDLEY METROPOLITAN BOROUGH COUNCIL**

**CABINET MEETING - 16TH MARCH 2005**

**REPORT OF THE DIRECTOR OF THE URBAN ENVIRONMENT**

**PREPARATION OF THE LOCAL DEVELOPMENT SCHEME (LDS) AS PART OF THE NEW DEVELOPMENT PLAN PROCESS**

**1.0 PURPOSE**

- 1.1 To seek Cabinet approval for the Local Development Scheme (LDS) (to be circulated separately to member) for 2005/06 as part of the new Development Plan process.

**2.0 BACKGROUND**

- 2.1 The Planning and Compulsory Purchase Act 2004 came into force on 28<sup>th</sup> September 2004. The Act sets out the requirements of the new development plan system advocating the production of a series of local development documents on a rolling basis which goes to make up the Local Development Framework.
- 2.2 Under the new Act, each Local Planning Authority is required to produce a public statement of its programme and timetable for the production of local development documents over the succeeding 3-year period known as the Local Development Scheme. Each Authority is required to submit its first LDS to the Secretary of State (through the Government Office for the West Midlands) within six months of the commencement of the Act (i.e. prior to 28<sup>th</sup> March 2005). Failure to do so means that Local Authorities will not receive any Planning Delivery Grant.
- 2.3 Officers have been working closely with Officers from the Government Office for the West Midlands to ensure that the submitted LDS meets with their approval. At the time of writing this report final comments on the draft LDS are still awaited from the Government Office for the West Midlands. As a result of the timescales involved Members are asked to delegate the approval of any amendments to the LDS to the Lead Member for Economic Regeneration.
- 2.4 The Dudley LDS proposes to save the policies contained in the Revised Unitary Development Plan (anticipated to be adopted in the Spring of 2005) for at least 3 years. It also provides a brief description and timetable for all the local development documents to be produced in the first 3 years including Supplementary Planning Documents (formerly SPGs).

- 2.5 Under the new Planning system, Local Planning Authorities are obliged to produce an Annual Monitoring Report which will detail the progress made in achieving the targets set out in the LDS for that year. This Report ensures that the production of documents is reviewed regularly so that the LDS can be updated and amended accordingly if necessary following Cabinet approval and consultation with the Government Office for the West Midlands.
- 2.6 The LDS is also the document which the public will be able to use to find out what the local planning authority is proposing to do and when, and at what stage they can expect to be involved with the process.

### **3.0 PROPOSAL**

#### **3.1 Cabinet Members are asked to**

- 1) Approve the Local Development Scheme for the period 2005-2008 for submission to the Government Office for the West Midlands in accordance with the Planning and Compulsory Purchase Act 2004.
- 2) Delegate the approval of subsequent amendments to the scheme, suggested by the Government Office for the West Midlands, to the Lead Member for Economic Regeneration.

### **4.0 FINANCE**

- 4.1 The LDS itself sets out the resource requirements for each milestone in the preparation of the various documents which will make up the Local Development Framework. Initial preparation work and involvement in relation to the new planning requirements will be met from within existing budgets. The LDS will be updated and amended at certain times as necessary which will enable resources to be identified and evaluated regularly to ensure that the requirements of the new Act are met.

### **5.0 LAW**

- 5.1 The production of the Local Development Scheme is a requirement of the Planning and Compulsory Purchase Act 2004. Authorities are not required to submit the LDS to full Council for approval. The Local Authorities Regulations (Amendment No. 2) 2004 to the Local Government Act (2000) as amended allow the LDS to be submitted to the Cabinet or executive for approval.
- 5.2 Local Development Schemes will need to show how Public Service Agreement 6 (ODPM Spending Review 2004 Public Service Agreement 2005-08) will be met, which requires that the planning system delivers sustainable development outcomes at national, regional and local level, through efficient and high quality planning and development management processes including achievement of Best Value standards for planning by 2008. A key performance indicator is that authorities achieve the milestones set out in their Local Development Schemes by 31<sup>st</sup> March 2007.

## **6.0 EQUAL OPPORTUNITIES**

- 6.1 The revisions to the national planning system under the Planning and Compulsory Purchase Act 2004 are intended to make the system more flexible and easier to use and understand. The revisions seek to include and involve all sections of the community, and will facilitate the fair and equitable operation of the planning system at a regional and sub-regional level. The new Act requires the planning system to be even more closely tied with the Council's Community Strategy as well as ensuring that each planning authority sets out its methods of public consultation in the production of the Local Development Framework through a Statement of Community Involvement.

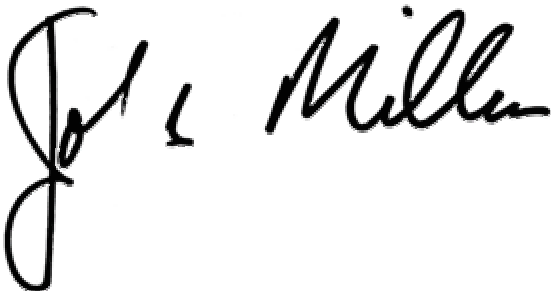
## **7.0 RECOMMENDATION**

- 7.1 That the proposal set out in paragraph 3 of this report be approved.

## **8.0 BACKGROUND DOCUMENTS**

- 8.1 Planning Policy Statement 12: Local Development Frameworks (ODPM 2004)

Creating Local Development Frameworks. A Companion Guide to PPS12 (ODPM 2004)

A handwritten signature in black ink, appearing to read 'J. B. Millar', with a stylized, cursive script.

**J. B. MILLAR – DIRECTOR OF THE URBAN ENVIRONMENT**

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