

Meeting of the Council - 10th April, 2006

Report of the Cabinet

Revision of the Local Development Scheme (LDS)

Purpose of Report

1. To seek approval to submit the revised Local Development Scheme to the Government Office for the West Midlands for incorporation into Dudley MBC's Local Development Framework.

Background

2. The context for this report is set by the new planning process of which many members will already be aware. The Planning and Compulsory Purchase Act 2004 came into force on the 28th September, 2004. The Act sets out the requirements of the new planning system advocating the production of a series of local development documents on a rolling basis which make up the Local Development Framework. The Local Development Framework will gradually replace the Adopted Unitary Development Plan (2005) as the statutory development plan for Dudley Borough.
3. 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 (LDS).
4. The first LDS was approved by the Cabinet at its meeting on the 16th March, 2005. Since then it has become clear that the timetable first envisaged for the production of the various different local development documents was overly optimistic both in terms of the requirements of the new planning system and the timetable of the Black Country Study. It must be noted that local authorities nationally have had to revise their Local Development Schemes due to slippage. It has, therefore, proved necessary to revise the LDS accordingly and to roll forward the programme to 2009. A copy of the LDS is placed in the Members' Room.
5. The Dudley LDS continues to save the policies in the Adopted Unitary Development Plan (October 2005) until they are replaced by policies in the new Local Development Documents. The LDS also provides a brief description and timetable for all the Local Development Documents to be produced between 2006 and 2009 including Supplementary Planning Documents. The four Black Country Boroughs have indicated an intention to produce some of the documents on a joint basis. The Core Strategy identified in the Dudley LDS will be produced in conjunction with the other three Boroughs.

6. 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. The Planning Policy Team produced the first Annual Monitoring Report in December 2005. 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.
7. 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.
8. On consideration of the information in this report, the Cabinet, at its meeting held on the 15th March, 2006, resolved to recommend the Council to approve the proposals set out in paragraphs 13 to 15 below.

Finance

9. 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 statutory requirements of the new Act are met.

Law

10. 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.
11. Local Development Schemes will need to show how Public Service Agreement 6 (Office of the Deputy Prime Minister 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 Scheme.

Equality Impact

12. 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 including children and young people, and will facilitate the fair and equitable operation of the planning system at a regional and sub-regional level. In this respect, the LDS is fundamental as it provides a clear statement to all regarding what Local Development Documents the Council will be producing and at what stages in the process people can get involved.

Recommendations

13. That the LDS for the period 2006-09 be approved as the operational Local Development Scheme for the Borough and submitted to the Government Office for the West Midlands in accordance with the Planning and Compulsory Purchase Act, 2004 subject to resolutions 14. and 15. below.
14. That, should changes to the timescales involved on some documents be necessary in consequence of the commitment of the four Black Country Boroughs working together to produce a joint core strategy (one of the key documents in the LDS), the Cabinet member for Economic Regeneration, in consultation with the Director of the Urban Environment, be authorised to approve minor changes.
15. That, should significant changes be required, the LDS be submitted to the Cabinet for approval before its submission to the Government Office for the West Midlands.

David Caunt

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Leader of the Council