

Meeting of the Council - 17th October 2005

Adoption of the Revised Deposit Unitary Development Plan as the operative Development Plan for the Borough.

Report of the Cabinet

Purpose of Report

1. To seek approval to the Revised Deposit Unitary Development Plan (UDP) as the operative Development Plan for the Borough.

Background

2. The Revised Deposit UDP was approved for publication at the Council meeting held on 21st January 2002. Prior to commencement of the Public Local Inquiry two sets of Pre-Inquiry Changes to the Plan were approved for publication. The first set of Pre-Inquiry Changes were approved by Council on 7th October 2002. The second set were approved by the Executive on 28th November 2002 under delegated authority given by Council on 18th November 2002.
3. The Public Local Inquiry into the objections/representations to the Revised Deposit UDP for Dudley MBC was held from 17th December 2002 to 12th June 2003.
4. The Inspector's report was received on the 31st January 2004. The report contained details of his conclusions and recommendations on the objections/representations made in relation to specific policies contained in the Plan. The Inspector only made recommendations in relation to policies for which objections/representations were received. Any policy which received no objections, which form the overwhelming majority of the plan's contents, were not considered by the Inspector. On 21st April 2004 the Council approved the responses to the Inspector's recommendations.
5. At the Council meeting held on the 18th July 2005 Members' approved the next stage in the development plan process which was to publish the "Notice of intention to Adopt the Unitary Development Plan". This notice has been published. It is now necessary for the Council to formally adopt the UDP, a copy of which is available for inspection by Members in the Members' Room.
6. It is a requirement that the Council specifies in a formal adoption notice when the Revised Deposit UDP was adopted and when it comes into effect. It is proposed that the formal adoption date should be the date of the Council meeting (17th October) and that the date that the plan becomes operative is the following day (18th October).

7. On consideration of the above, the Cabinet, at its meeting held on 21st September 2005, resolved to recommend the Council to approve the recommendations set out in paragraph 12 below.

Finance

8. The costs of preparing the Revised Deposit Plan are met from budgets specifically identified for that purpose.

Law

9. The review of the UDP is being prepared under Part 2 of the Town and Country Planning Act, 1990.
10. Once adopted the Revised Deposit UDP will be a saved Plan in accordance with the Planning and Compulsory Purchase Act 2004.

Equality Impact

11. The preparation of the Revised Deposit UDP has been undertaken in full accordance with the Council's equality and diversity policy and part 1 of the UDP emphasises the priority attached to this in formulating the policies.

Recommendation

12. It is recommended that:-
 - (a) That the Revised Deposit UDP as made available for inspection by Members in the Members' Room be approved as the operative development plan for the borough.
 - (b) That the formal adoption date be set at 17th October 2005 and that the date the Plan will become operative be set at 18th October 2005.
 - (c) That the formal adoption notice be published.

David Caunt

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Leader of the Council

List of Background Papers

Proposed Modifications September 2004
Inspectors Report into the Revised Deposit Unitary Development Plan
Second Set of Pre-Inquiry Changes November 2002
First Set of Pre-Inquiry Changes October 2002
Revised Deposit Unitary Development Plan