



Local Development Scheme – resolution to bring Revised LDS into effect

SUMMARY

- 1.1 At its 29 November meeting last year, Cabinet agreed amendments to the LDS programme for preparing planning documents. These changes, and other amendments to the text to bring it up to date, have been incorporated into a revised LDS document. The revised document can be seen on CMIS at <http://cmis.derby.gov.uk/CMISWebPublic/Binary.ashx?Document=7016> as Appendix 2 to this report and is also available on the Council's website.
- 1.2 Following preliminary discussions with Government Office, the Revised LDS was submitted on 20 June. The Secretary of State is happy with the revised scheme and it can now be formally brought into effect.
- 1.3 Subject to any issues raised at the meeting, I support the following recommendation.
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RECOMMENDATION

2. To resolve that the City Council's revised Local Development Scheme shall have effect from 11 August 2006. ☐

REASON FOR RECOMMENDATION

3. The Town and Country Planning (Local Development) (England) Regulations 2004 require the Council to formally resolve to bring an LDS or revised LDS into effect. ☐



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SUPPORTING INFORMATION

- 1.1 The Council brought its first Local Development Scheme (LDS) into effect on 17 May 2005. The LDS sets out the programme of planning documents that the City Council intends to prepare over a three year period.
- 1.2 At its meeting of 29 November last year, Cabinet considered its first Annual Monitoring Report (AMR) of the new Local Development Framework. This included an assessment of progress in implementing the programme of plan preparation. A number of revisions to the programme were agreed and authority given to revise the LDS accordingly.
- 1.3 A significant number of factual changes needed to be made to the LDS to take account of the adoption of the CDLP Review in January. Some of these matters, such as ensuring that Policy reference numbers match the final version of the Local Plan, could not be finalised before the final version of the CDLP Review was itself ready. The revised LDS has therefore been submitted somewhat later in the year than will normally be the case in the future.
- 1.4 Discussions on matters of detail were held with Government Office in May and a number of minor amendments, including further adjustments to the timetable of some plans, made before formal submission on 20 June this year. These negotiations have proved useful as the Secretary of State is happy with the finalised Scheme and has not issued any direction for us to change it.
- 1.5 The Local Development Regulations of 2004 require the Council to formally resolve 'that the scheme shall have effect' and to give a date from which it comes in to effect. It is recommended that this is the date of this Cabinet meeting. The Regulations also require the Council to make a copy of the scheme available at its principal office during normal hours and to publish it on its website. The Scheme is already available in the reception at both the Council House and at Roman House. It can also be seen on our website at www.derby.gov.uk/Environment/Planning under the 'Plans and Policies' heading. It is also available on CMIS at <http://cmis.derby.gov.uk/CMISWebPublic/Binary.ashx?Document=7016> as Appendix 2 to this report.

- 1.6 The revised LDS programme will be assessed again as part of the next AMR which will be brought to Cabinet in December. Any revisions to the LDS which are highlighted through the AMR will then be incorporated into a further review of the LDS.

OTHER OPTIONS CONSIDERED

2. None.

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List of appendices:	Local Development Scheme Appendix 1 – Implications Appendix 2 – Revised Local Development Scheme http://cmis.derby.gov.uk/CMISWebPublic/Binary.ashx?Document=7016

IMPLICATIONS

Financial

1. Financial resource implications of the programme are considered in the LDS. The Scheme was submitted before the end of March 2005, which satisfies the requirements of the new BVPI 200a. However, not all targets set out within the LDS were met as required by the new BVPI 200b. The Government has indicated that performance in achieving the programme set out in the LDS could influence future levels of Planning Delivery Grant.

Legal

2. The requirement to prepare and review an LDS is contained in the Planning and Compulsory Purchase Act 2004. The Scheme also meets all procedural requirements of the Town and Country Planning (Local Development)(England) Regulations 2004.

Personnel

3. Personnel resource implications are considered in the LDS.

Equalities impact

4. The LDS itself does not have an equalities impact, but the documents it proposes for preparation, such as the Statement of Community Involvement, will need to pay particular attention to this issue.

Corporate Priorities

5. The proposal predominantly comes under the Council's Priorities of improving the quality of life in Derby's neighbourhoods, building healthy and independent communities and delivering excellent services, performance and value for money.