

## **A LOCAL DEVELOPMENT SCHEME FOR THE ROCHFORD DISTRICT**

### **1 SUMMARY**

- 1.1 The Government's Planning and Compulsory Purchase Act states that the Council must prepare and maintain a scheme to be known as its Local Development Scheme (LDS). The LDS is not subject to independent examination, nor is it published for the public to make formal comment. The Local Planning Authority must submit its LDS to the Government Office for the East of England (GO-East) by the end of March 2005.
- 1.2 This report seeks Members' approval for the Rochford LDS to be adopted and submitted.

### **2 UPDATE**

- 2.1 A report was submitted to Members of this Committee in February 2004 and an approach to the preparation of the LDS was agreed (Minute 74/04). Further work was undertaken following this and a draft version presented to Members in September 2004. The draft appended to this report represents the culmination of draft versions of the LDS, which have been submitted to GO-East for comment, prior to formal submission. Go-East has written to confirm their broad agreement to the contents of the scheme.

### **3 RISK IMPLICATIONS**

#### **3.1 Regulatory Risk**

Failure to create, adopt and maintain an up to date Local Development Scheme may lead to action being taken against the Council by the ODPM or regional Government Office.

### **4 RESOURCE IMPLICATIONS**

- 4.1 As stated in 3.1, additional resources will be required to ensure that the proposals can be implemented effectively. Out of hours working will most likely be required to carry out negotiations and public consultation with *hard to reach* groups.
- 4.2 The agreed Local Development Scheme will influence part of the award of Planning Delivery Grant over the next two to three years.

**5 LEGAL IMPLICATIONS**

- 5.1 The legal implications are specified in the Act, but there are various penalties possible for failing to comply. Also, the failure to implement the new planning regime may have consequences for other areas of planning.

**6 RECOMMENDATION**

- 6.1 It is proposed that the Committee **RECOMMENDS**
- (1) That the Local Development Scheme for the Rochford District be agreed for submission to GO-East, in accordance with the requirements of the Planning and Compulsory Purchase Act 2004; and
  - (2) That authority is delegated to the Head of Planning Services to carry out minor amendments to the LDS to ensure consistency and correctness.

Shaun Scrutton

Head of Planning Services

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**Background Papers:**

*Planning Policy Statement 12 – Local Development Frameworks (2004) ODPM.*  
*Creating Local Development Frameworks – A companion guide to PPS12 (2004) ODPM.*

Letter from GO-East dated 21<sup>st</sup> January 2005.

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