REVISION TO THE ROCHFORD DISTRICT LOCAL DEVELOPMENT SCHEME

1 SUMMARY

1.1 The Government's Planning and Compulsory Purchase Act 2004 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 Council submitted its first LDS in March 2005, as was required by the above legislation. A revision to this has been necessitated because of a change in planning circumstances.

1.2 This report seeks Members' approval for the Third Rochford District LDS to be adopted and submitted.

2 UPDATE

2.1 A report was submitted to the Environment Overview & Scrutiny Committee on 15 February 2005 when the first LDS was adopted and submitted. This was agreed by GO-East and formally became the first part of Rochford Local Development Framework. A revision was undertaken in January 2006 because of delays to the Local Plan and Regional Spatial Strategy processes and because of the difficulty in commissioning Strategic Environmental Assessments at the time they were needed.

2.2 It is now considered a further review is required. The above three reasons continued to affect the preparation process and, coupled with the need for extra Committee time and scrutiny, there has been a further delay in progressing the plans.

2.3 On a more positive note, the LDS requires updating because all bar one of the Supplementary Planning Documents (SPD) and the Statement of Community Involvement (SCI) have been adopted. Two Annual Monitoring Reports have also been prepared and submitted on time.

2.4 In addition to these matters, joint working arrangements have been put in place with Southend-on-Sea Borough Council, so that a Joint Area Action Plan for West Rochford can be prepared. Following consultation with colleagues in Environmental Health, it also became clear that other SPDs were required, dealing specifically with sustainable development and sustainable transport. The LDS therefore needs to be updated to include the preparation timescales for these documents.

2.5 A revised Local Development Scheme has therefore been prepared (Appendix 1). The main changes relate to the preparation milestones, which have been affected by the above points, and the inclusion of the timetable for the preparation of the joint Action Area Plan.

3 RISK IMPLICATIONS

3.1 Regulatory Risk

Failure to 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 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 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 TO COUNCIL**

(1) That the revised 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.

(2) That authority be delegated to the Head of Planning and Transportation, in consultation with the Leader of the Council, to carry out minor amendments to the revised LDS to ensure consistency and correctness.

Shaun Scrutton

Head of Planning and Transportation

Background Papers:-

None

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