

REVISION TO THE ROCHFORD DISTRICT LOCAL DEVELOPMENT SCHEME

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 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 Second Rochford District LDS to be adopted and submitted.

2 UPDATE

- 2.1 A report was submitted to Members of this Committee in February 2005 and the first LDS was adopted and submitted. This was agreed by GO-East and formally became the first part of Rochford Local Development Framework. However, it has become apparent that for three main reasons the Council has now to submit revisions to the LDS (see Appendix 1). The reasons are:
1. The Local Plan process is still underway and is now two to three months behind the schedule envisaged at the time of the preparation of the adopted LDS. This project is our priority because of the need to ensure this is adopted before it requires a Strategic Environmental Assessment (SEA).
 2. It has not been possible to commission our SEA statements (through Essex County Council) as we had envisaged, although we now have the necessary arrangements in place and work should proceed over the next few months. This will affect all of our documents and timescales, which require SEA.
 3. The late running of the East of England Plan Examination In Public. We were told to expect the Panel report in February 2006. It is now envisaged in the middle of 2006. The delay to this will affect the Core Strategy and Allocations Development Plan Documents (DPD) and any Local Development Documents (LDD) that rely on them.
- 2.2 A revised Local Development Scheme has therefore been prepared. The main changes relate to the preparation milestones, which have been affected by the above points.

- 2.3 At the same time as revising the timetable, the opportunity has been taken to incorporate references to the role of the Rochford District Local Strategic Partnership in implementing the Community Strategy, and the importance of the Local Development Framework (LDF) in delivering the spatial aspects of that strategy.

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**

- (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 is delegated to the Head of Planning Services to carry out minor amendments to the revised LDS to ensure consistency and correctness.

Shaun Scrutton

Head of Planning Services

Background Papers:-

None

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