



TITLE: Rossendale Borough Council Local Development Scheme

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LEAD MEMBER: Councillor William Challinor

STATUS: For Publication

TO/ON: The Executive / 20/07/2005

1. PURPOSE OF THE REPORT

- 1.1 This report is to update the Executive Committee and to seek Committee endorsement of the published version of the Local Development Scheme.

Background

- 1.2 This document was originally approved on the 16th February 2005 by Council when it resolved that:
1. The Council approves the Local Development Scheme
 2. That the Chief Executive in consultation with the Leader of the Council be given delegated authority to ensure the submission of the Local Development Scheme to Government Office North West by 28th March 2005.
- 1.3 Following this, the Council then received notice from the First Secretary of State regarding a holding direction under Regulation 11(3)(c) of the Town and Country Planning (Local Development) (England) Regulations 2004 dated 19 April. Following this the Local Development Scheme went through a series of amendments as requested by GONW and the Planning Inspectorate.
- 1.4 On the 8th June 2005 GONW issued Rossendale Borough Council with a non-intervention letter stating that they were content with the contents of the scheme and that in accordance with Regulation 11(2) of the Town and Country Planning (Local Development) (England) Regulations 2004, the First Secretary of State notified the Council that he does not intend to issue a direction under Section 15(4) of the Planning and Compulsory Purchase Act 2004.

1.5 It is now required that under Regulation 11(1) (b) of the Town and Country Planning (Local Development) (England) Regulations 2004 the LDS is placed on the agenda of the next committee (20th July 2005) to receive approval of the published scheme. Regulation 11 states:

- 11.** - (1) *For the purpose of bringing a local development scheme or any revision of such a scheme into effect -*
- (a) the requirements of one of paragraphs (2) to (5) shall be met; and*
 - (b) the local planning authority shall -*
 - (i) resolve that the scheme shall have effect; and*
 - (ii) shall specify in that resolution the date from which the scheme shall have effect.*

2. RECOMMENDATIONS

2.1 The Executive Committee recommends to Council that it approves the published version of the Local Development Scheme as of the 8th June 2005.

3. REPORT AND REASONS FOR RECOMMENDATIONS AND TIMETABLE FOR IMPLEMENTATION

3.1. The Local Development Scheme is a project plan and therefore the majority of the document sets out the actions and timescales for the scheme to be delivered. These dates will continually be reviewed and amended as each project in the scheme is implemented.

3.2. The amendments made to the Local Development Scheme since 16th February 2005 is relatively minor. The changes to date include:

- a) General re-formatting of the document;
- b) changes to timescales in Table 1 and profiles in Section 2. This includes:
 - Timescale for the Core Strategy being put back due to the requirement for the project to go out to tender.
 - Timescales for the examination process being put back 2 – 3 months following requests by the Planning Inspectorate;
- c) Inclusion of Diagrams 1, 2 & 3.

4. CORPORATE IMPROVEMENT PRIORITIES

4.1. FINANCE AND RISK MANAGEMENT

- 4.1.1. Failure to meet the regulatory requirements of the Town and Country Planning (Local Development) (England) regulation 2004 would be detrimental to the Local Development Framework and could result in documents produced for the LDF being withdrawn by the First Secretary of State after the examination process.

4.2. MEMBER DEVELOPMENT AND POLITICAL ARRANGEMENTS

- 4.2.1 The scheme is part of the Statutory planning process and is fundamental in delivering the spatial development and land use aspects of the Council's Corporate objectives such as the Community Strategy, Housing Market Renewal Areas and the Rawtenstall Town Centre Area Action Plan (AAP).

4.3. HUMAN RESOURCES

- 4.3.1. There is internal and external involvement regarding the implementation of the Local Development Scheme and preparation of the Local Development Framework. These include the Forward Planning Team, Housing Market Renewal Team, Street Scene and Liveability Team, Halsall Lloyd Partnership, Arup and Entec.
- 4.3.2. The Local Development Scheme is now subject to a Service Level Agreement as issued by the Planning Inspectorate. The agreement concerns the council's ability to deliver the scheme within the timescales and milestones agreed. This is also dependant on the council's ability to recruit qualified personnel to deliver the scheme.

5. ANY OTHER RELEVANT CORPORATE PRIORITIES

- 5.1. Impacts on the delivery of the Rossendale Community Strategy & Housing Market Renewal Programme.

6. RISK

- 6.1. Failure to meet the regulatory requirements of the Town and Country Planning (Local Development) (England) regulation 2004 and to prepare the Local Development Framework would have significant impact on the Council's ability to deliver the Community Strategy and plans to regenerate areas such as the Rawtenstall Town Centre AAP etc.

7. LEGAL IMPLICATIONS ARISING FROM THE REPORT

- 7.1. Non Conformity with the Town Planning and Compulsory Purchase Act 2004.

8. EQUALITIES ISSUES ARISING FROM THE REPORT

8.1. N/A

9. WARDS AFFECTED

9.1 The entire borough of Rossendale will be covered by the Local Development Scheme with the Local Development Framework designed to provide a spatial vision and objectives and related planning policies and guidance to ensure sustainable social, economic and environmental development for the borough.

10. CONSULTATIONS

10.1. The Local Development Scheme has been issued for consultation to Government Office North West and the Planning Inspectorate for approval and will continue to do so, subject to further amendments to timescales and milestones.

11. Background documents:

- A) Town Planning and Compulsory Purchase Act 2004
- B) Town Planning and Compulsory Purchase Act 2004 Regulations
- C) Planning Policy Statement 12
- D) Planning Policy Statement 12 Companion Guide
- E) Regional Spatial Strategy (Regional Policy Guidance 13)
- F) Rossendale Borough Council Local Development Scheme

For further information on the details of this report, please contact:

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