

CHESHIRE EAST COUNCIL

Cabinet

Date of meeting: 17th February 2009
Report of: John Nicholson Places Director
Title: Cheshire East Local Development Scheme

1.0 Purpose of Report

- 1.1 The purpose of this report is to recommend to Cabinet that the Cheshire East Local Development Scheme be brought into effect, within the inclusion of a caveat recommended by the Government Office for the North West.

2.0 Decision Required

- 2.1 To agree:
- To include a caveat within the Local Development Scheme alongside the table and profile of the Minerals DPD highlighting that the timetable/DPD could be changed should it be decided in future that joint working with Cheshire West and Chester would be more appropriate on this matter.
 - That the Cheshire East Local Development Scheme, appended to this report, shall come into effect from 18th February 2009 in accordance with Regulation 11(2)(a) of the Town and Country Planning (Local Development) (England)(Amendment) Regulations 2008.

3.0 Financial Implications for Transition Costs

- 3.1 None

4.0 Financial Implications 2009/10 and beyond

- 4.1 The costs of a future review of the Local Development Scheme will be in staff time. The implementation of the programme contained within the Local Development Scheme will require substantial staff and budgetary resources as yet undefined.

5.0 Legal Implications

- 5.1 The preparation of a Local Development Scheme and certain Local Development Framework documents is a statutory requirement set out in the 2004 Planning and Compulsory Purchase Act. The draft Transitional Regulations requires Cheshire East to submit a Local Development Scheme to the Secretary of State for Communities and

Local Government “not later than three months before the reorganisation date.” The same Regulations will, when approved by parliament, transfer Local Development Framework powers to the Cheshire East Council.

6.0 Risk Assessment

- 6.1 The Local Development Scheme contains a full Risk Assessment (Section 12).

7.0 Background and Options

- 7.1 Local Development Schemes are a feature of the reformed local planning system introduced by the Planning and Compulsory Purchase Act (2004). The introduction of the Local Development Scheme was a direct response by Government to ensure that Local Development Frameworks are better managed, with local development documents being prepared and reviewed more quickly than development plans under the old system.
- 7.2 The Local Development Scheme is a public statement of the local planning authority’s programme for the production of local development documents. For local authorities, the Local Development Scheme serves as a programme management tool, encouraging the successful and timely delivery of a number of inter-related projects (local development documents). The Local Development Scheme is essentially a three year project plan, with the timetable of milestones used to manage resources, drive progress, and inform stakeholders.
- 7.3 Following consideration of the Local Development Scheme by the Local Development Framework Member Task Group on 9th September, the Places Advisory Panel on 22nd September, Cabinet on 2nd December and Council on 9th December 2008 it was submitted to the Government Office for the North West on behalf of the Secretary of State.
- 7.4 The Government Office for the North West have now responded on behalf of the Secretary of State and have stated that she does not intend to issue a direction under Section 15(4) of the Planning and Compulsory Purchase Act 2004, and that Cheshire East Council may proceed to publish the submitted Scheme (subject to the caveat suggested), in accordance with the Regulations.

8.0 Overview of Day One, Year One and Term One Issues

- 8.1 The Local Development Scheme should be brought into effect to provide the work programme for the Cheshire East Local Development Framework and will be reviewed on an annual basis.

9.0 Reasons for Recommendation

9.1 To bring into effect the Cheshire East Local Development Scheme.

For further information:

Portfolio Holder: Councillor David Brown

*Officer: Richard House, Local Planning and Economic Policy Manager,
Congleton Borough Council*

Tel No: 01270 529767

Email: Richard.House@congleton.gov.uk

Background Documents:

*Documents are available for inspection at: Westfields. Middlewich Road,
Sandbach*