



meeting **CABINET**

date **7 JUNE 2006**

agenda item
number

REPORT OF THE CABINET MEMBER FOR ENVIRONMENT & SUSTAINABILITY

THE MINERALS AND WASTE DEVELOPMENT FRAMEWORK – IMPLEMENTATION OF REVISED MINERALS AND WASTE DEVELOPMENT SCHEME

Purpose of Report

1. To advise on the Government's response to the submission of the revised Minerals and Waste Development Scheme and to enable the Scheme to come into effect in accordance with the regulations. Cabinet is authorised to approve this under amended regulations to the Local Government Act 2000 (Amendment No 2).

Background

2. Under the new Development Plan system, all Local Planning Authorities must prepare a 'Local Development Scheme' setting out how they intend to prepare the new Development Plan and other documents that together will form the 'Local Development Framework'. As the County Council is a minerals and waste planning authority, the Scheme is referred to as a Minerals and Waste Development Scheme and the framework as the Minerals and Waste Development Framework.
3. The County Council's first Scheme came into effect in June 2005. That Scheme along with all other documents in the framework is subject to statutory annual monitoring to make sure that they are kept up to date. The first monitoring exercise was completed in December 2005 which recommended that the Minerals and Waste Development Scheme be revised. This was mainly to accommodate slippages in the preparation of some documents and the preparation of proposed Supplementary Planning Documents. A revised Scheme was drafted and approved by Cabinet on 8 March 2006. It was then submitted to the Secretary of State on 13 March.

Consultation prior to formal submission.

4. The Government Office and Planning Inspectorate along with four other Government bodies were consulted in advance on the draft. The aim of this

consultation was to minimise the risk of any significant amendments being required after the Scheme was formally submitted. As reported orally at the March Cabinet meeting the Government Office had recommended a couple of small changes which were incorporated before it was submitted. The remaining consultees either did not respond or made no comments.

Government's response to revised Scheme

5. The Secretary of State has responded to the Scheme and advised that the County Council can bring it into effect subject to some detailed changes to the timetable for the joint (City and County Council) Waste Development Plan Documents. These are incorporated into the draft (attached as an Appendix to Members' reports only). The same changes have been made by the City Council to their Scheme to ensure consistency.

Implementing the Scheme

6. The final stage in this process is for the County Council to resolve that the Scheme be implemented and comes into effect from a specified date. For this purpose the date is proposed to be 20 June 2006, the day after this resolution is implemented. A copy of the Scheme must be available on the website and at the County Council's principal planning office. Although not required, it is considered helpful to make copies available at all District Council planning offices so that the County Council's Scheme can be seen alongside District Council Schemes.

Monitoring the Minerals and Waste Development Scheme

7. The Scheme will be monitored later this year and a recommendation to retain it unchanged or to revise it will be set out in the next Annual Monitoring Report to be published in December 2006. Any proposals to revise the Scheme will be put before Cabinet for approval in early 2007.

Statutory and Policy Implications

8. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, Crime and Disorder and those using the service. Where such implications are material, they have been brought out in the text of the report. Attention is, however, drawn to specifics as follows:-

Resources

9. Implementing the new development plan system is resource intensive and the Government has provided all local planning authorities with extra funding in the form of performance related 'Planning Delivery Grants'. These are aimed at helping to finance changes to the planning system. The County Council's allocation for 2006/7 will be £113,717 compared to £106,135 in 2005/6.

Key Decision

10. This report leads to a Key Decision as there would be a significant effect on communities in two or more electoral divisions in the County Council area. Notice

of intention to make the decision was first published in the County Council's Forward Plan on 6 March 2006.

RECOMMENDATIONS

11. It is RECOMMENDED that Cabinet resolve that the attached Minerals and Waste Development Scheme come into effect on 22 June 2006.

PETER WEBSTER
Director of Environment

Director of Resources' Financial Comments

The additional planning delivery grant of £113,717 has been noted for 2006/07. Full details of areas of expenditure from this grant are being drawn up by the Environment Department's Development Planning Group. [DJK 8.5.06]

Legal Services' Comments

Cabinet have power to decide the Recommendation. [SHB 26.4.06]

Background Papers Available for Inspection

File of correspondence on preparation of 2006 Minerals and Waste Development Scheme.

Electoral Division(s) Affected

All

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13 April 2006 (18.4.06)