

CABINET

6 JULY 2011

REVISED LOCAL DEVELOPMENT SCHEME 2011

REPORT OF HEAD OF STRATEGIC PLANNING

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RECENT REFERENCES:

[CAB 2178](#) - Revised Local Development Scheme 2011 – Cabinet (LDF) Committee 6 June 2011 and Cabinet 15 June 2011

[CAB 1969](#) - Revised Local Development Scheme 2009 – Cabinet 3 February 2010

[CAB 1925](#) - Revised Local Development Scheme 2009 - Cabinet 12 November 2009

[CAB 1905\(LDF\)](#) – Revised Local Development Scheme 2009 – Cabinet (LDF) Committee 20 October 2009

[CAB 1802\(LDF\)](#) - Local Development Scheme 2009 – Cabinet (LDF) Committee 6 March 2009

[CAB 1389](#) - 'Local Development Scheme 2007', Cabinet 17 January 2007

[CAB1217](#) – 'Winchester District Local Development Scheme (Revised)'- Cabinet 1 March 2006

EXECUTIVE SUMMARY:

The Council is required to produce a Local Development Scheme (LDS) that provides a programme for the production of the Council's Local Development Framework (LDF) for the next three years.

At meetings on 6 June (Cabinet (Local Development Framework) Committee) and 15 June 2011 (Cabinet), a revised LDS was approved for submission to the Secretary of State ([CAB 2178](#) refers). The revised LDS acknowledges the need to progress with Core Strategy production given the ageing local plan, in addition to commencing preparation on a Community Infrastructure Levy Charging Schedule as the Council

will no longer be able to collect monies from developers through traditional S106 agreements as of April 2014.

This LDS was forwarded to the Secretary of State for consideration and comment after Cabinet on 15 June 2011. The revised processes for considering such matters allows the Secretary of State 14 days in which to inform the Local Authority as to whether he intends to issue a direction to restrict the LDS being 'brought into effect' without any requested amendments.

Officers received confirmation from the Secretary of State on 23 June that he had no comments to make and will not be issuing a direction at this time, and accordingly the 2011 LDS can now be brought into effect.

The relevant regulations require a specific resolution, stating the date on which the LDS will be brought into effect. Under the Constitution, such a resolution must be made by Cabinet.

This decision was not included in the Forward Plan for July as it was not known when a decision would be issued by the Secretary of State. As he has now confirmed that the LDS can be brought into effect, the revised LDS should be effective as soon as possible, as part of the LDF process. The Chairman of Overview and Scrutiny Committee has been informed.

RECOMMENDATION:

That the Revised Winchester District Local Development Scheme, attached as Appendix A to report [CAB 2178\(LDF\)](#), shall have effect from 6 July 2011.

OTHER CONSIDERATIONS:

2 SUSTAINABLE COMMUNITY STRATEGY AND CHANGE PLANS (RELEVANCE TO):

- 2.1 As part of progressing effective spatial planning of the District, the LDS is relevant to many of the stated aims of the Council's Community Strategy. This is to be achieved by ensuring that the programmed development plan documents are prepared and delivered to the agreed timescales to enable the implementation of the actions to deliver the outcomes of the Strategy and matters expressed in the Change Plans in so far as they relate to spatial planning.

3 RESOURCE IMPLICATIONS:

- 3.1 There are no direct resource implications for this decision.

4 RISK MANAGEMENT ISSUES

- 4.1 An up-to date Local Development Scheme is a fundamental element of the LDF and is required as part of the legal compliance tests that all DPDs will have to comply with when being considered by Inspectors under the examination procedure. Failure to have an up-to-date LDS would prevent a DPD from meeting the legal compliance test which an Inspector would undertake.

5 BACKGROUND DOCUMENTS:

- 5.1 Revised LDS Scheme.

6 APPENDICES:

None.