

Committee	<b>Cabinet</b>
Date	<b>24 November 2004</b>
Report By	<b>Director of Transport and Environment</b>
Title of Report	<b>Minerals and Waste Development Scheme</b>
Purpose of Report	<b>To gain Member approval of the Minerals and Waste Development Scheme prior to submission to the First Secretary of State.</b>

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## **RECOMMENDATIONS**

**The Cabinet is recommended to:**

- 1. approve the Minerals and Waste Development Scheme for submission to the First Secretary of State;**
  - 2. authorise the Director of Transport and Environment, in consultation with the Lead Member for Transport and Environment, to finalise any drafting changes arising from the Government's consideration of the Minerals and Waste Development Scheme, prior to publishing formally the Scheme.**
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### **1. Financial Appraisal**

1.1 Little cost is involved in producing the Minerals and Waste Development Scheme but it has to indicate the County Council's programme of work for the next three years. The Scheme has to identify the resources required but not the specific financial provision. The County Council's performance in relation to the progress of the details of the Scheme will be monitored by the Government over the three years and this matter will be a revised Best Value Performance Indicator. The County Council therefore needs to be realistic and robust in predicting the future work programme on development plans.

1.2 The Budget for 2004/5 includes a provision for the proposed work on the Minerals Review (Minerals Development Plan Document) and the Waste Local Plan. The most significant aspects of the Scheme in the future years will be further work on the Minerals Development Plan Document, completing the Waste Local Plan and commencing the Waste Development Framework. The County Council provides for these through the reconciling policy and resources process with provisional budgets up to 2006/7 at this stage.

### **2. Supporting Information**

2.1 The substantive provisions of the Planning and Compulsory Purchase Act commenced on 28 September 2004. The Government is introducing a new system for the preparation of development plans. Under the new system the County Council will be required to replace gradually its existing Minerals and Waste Local Plans with Development Plan Documents. These, together with other relevant documents, will be placed in a loose-leaf folder known as the Minerals and Waste Development Framework. The planned programme for producing the documents to be placed in the Framework is called the Local Development Scheme (LDS). County Councils have to produce an LDS for minerals and waste which is known as the Minerals and Waste Development Scheme. The Act requires the Scheme to be submitted and agreed by the First Secretary of State. Regulations have prescribed that the

Scheme must be submitted within six months of the commencement of the Act. Any formal action on the new documents has to follow the adoption of the Scheme.

2.2 A draft version of the County Council's Minerals and Waste Development Scheme is appended to this report. It sets out a three year programme for producing the Statement of Community Involvement, the Minerals Development Plan Document and Minerals Proposals Map, and, the Construction and Demolition Waste Supplementary Planning Document which is a joint document with Brighton & Hove City Council. It also sets out the transitional arrangements for Saving the Waste Local Plan, once it is adopted, and the commencement of work on Waste Development Plan Documents. Saving plans maintains their statutory status and allows time to bring forward new style documents.

2.3 Planning Policy Statement 12 (PPS12) gives guidance on the LDS process. This indicates that Government Offices will require planning authorities to have a Service Level Agreement with the Planning Inspectorate. Nationally this has not been resolved at the present time and final approval of the Scheme may be delayed by Government pending negotiations on an Agreement.

2.4 Initial consultations have been carried out on the Scheme and background work has already commenced on the Sustainability Appraisal / Strategic Environmental Assessment for the documents. Further initial work will be carried out with specific community groups to assist the preparation of a Statement of Community Involvement.

2.5 The County Council has to give formal notice when the Scheme has come into effect.

### **3. Environmental Issues**

3.1 Section 39(2) of the Planning and Compulsory Purchase Act requires that local authorities must undertake the production of Development Plan Documents "with the objective of contributing to the achievement of sustainable development".

### **4. Conclusion and Reason for Recommendation**

4.1 To meet the deadlines set out in the Minerals and Waste Development Scheme, it is essential that it is submitted to the First Secretary of State as soon as possible after the commencement of the Planning and Compulsory Purchase Act. However, minor changes to the Scheme may be required in the light of an Agreement with the Planning Inspectorate. The Cabinet are asked to delegate power to the Director of Transport and Environment, in consultation with the Lead Member for Transport and Environment, to make such changes where they do not affect the number or type of documents to be produced, and to give formal notice when the Scheme is finalised.

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Director of Transport and Environment  
16 November 2004  
C24NOV-MinWasteDevScheme

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### **BACKGROUND DOCUMENTS**

Minerals and Waste Development Scheme.