

Agenda Item: 13

Meeting: Executive

Date: 12 May 2009

Subject: Minerals and Waste Local Development Scheme

Report of: Portfolio Holder for Sustainable Development

Summary: The report proposes that the Executive approves the Minerals and Waste Local Development Scheme for submission to the Secretary of State.

Advising Officer: Gary Alderson, Director of Sustainable Communities

Contact Officer: Lester Hannington, Joint Minerals and Waste Planning Team

Public/Exempt: Public

Wards Affected: All

Function of: Executive

Key Decision Yes

**Reason for urgency/
Exemption from call-in
(if appropriate)** N/A

RECOMMENDATIONS:

- 1. That the Central Bedfordshire Minerals and Waste Local Development Scheme as set out in Appendix A to the report be approved for formal submission to the Secretary of State, and following approval be brought into effect.**
- 2. That the Director of Sustainable Communities, in conjunction with the Portfolio Holder (Sustainable Development), be authorised to make any changes to the Central Bedfordshire Minerals and Waste Local Development Scheme both prior to submission, and in response to any comments made by GOEAST and the Secretary of State.**

Reason for Recommendations: A revised Minerals and Waste Local Scheme is required by the Transition Regulations. The Scheme will reflect the changes brought about by changes to national policy guidance and Local Government Reorganisation, and to comply with the Local Government (Structural Changes) (Transitional Arrangements) (No2) Regulations 2008.

The Minerals and Waste Local Development Scheme: Background

1. Members will be aware that the Planning and Compulsory Purchase Act 2004 introduced the Local Development Framework (LDF) system to replace the Local Plan system. LDFs provide planning authorities with an opportunity to review their areas, and develop a spatial vision, policies, and site allocations, so as to deliver sustainable development which reflects the aspirations of local communities. The starting point for preparing the Councils LDF is the Local Development Scheme.
2. The Minerals and Waste LDS sets out what documents are to be produced, and the timetable for their production, in respect of the provision of mineral extraction and waste management facilities. These documents are especially important, since they will provide the basis for decisions as to whether developments are permitted.
3. Prior to Local Government Reorganisation, Bedfordshire County Council and Luton Borough Council were the Mineral and Waste Planning Authorities responsible for producing Minerals and Waste Development Plan Documents, and adopted the Minerals and Waste Local Development Scheme updated in May 2007. Following Local Government Reorganisation, the new Minerals and Waste LDS is owned by Bedford Borough Council, Central Bedfordshire Council, and Luton Borough Council.
4. A number of factors have led to the previous set of development plan documents and their timetable, being no longer appropriate or relevant. These include the revised publication of a new PPS12 in June 2008, which now allows the inclusion of Strategic sites into Core Strategies; the publication of the Waste Strategy for England 2007; as well as Local Government Reorganisation, which has created three Minerals and Waste Planning Authorities (Bedford Borough, Central Bedfordshire, and Luton Borough).
5. The key changes relate to the timing, and number, of plans. Firstly, the most important sites essential to achieve the objectives of the Core Strategy, will be included within it, and this will remove the need for a separate Site Allocations Plan. Other non-strategic sites will not be specifically identified. Secondly, there is now considerable urgency placed by the UK Government on the submission of Waste Core Strategies to the Secretary of State in a timely fashion, in order to show compliance with the European Union Waste Framework Directive. Consequently the Waste Core Strategy will be progressed earlier than previously anticipated. Finally, following public consultation on areas for mineral safeguarding, the separate draft preparatory documents on minerals and waste will be merged into a single combined Minerals and Waste Core Strategy. Following this, the Core Strategy will be subject to publicity, after which it will be submitted to the Secretary of State.

CORPORATE IMPLICATIONS

Council Priorities:

The Minerals and Waste Local Development Scheme proposes a set of planning policy documents which will balance the needs for further minerals and waste developments, with the protection of the environment and communities.

Financial:

The implementation of the Minerals and Waste Local Development Scheme is budgeted for within the Production Costs table attached as Appendix 2. The costs of production of the Minerals and Waste Local Development Documents are shared between the three Councils. The costs to Central Bedfordshire Council for the production of the Minerals and Waste Local Development Documents is estimated to be around £20,000 in this financial year, and around £120,000 over the next three years.

Legal:

The LDS is compliant with the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Development) (England) Regulations 2004, the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008, and PPS12. The Council has a statutory duty to prepare and publish an upto date LDS.

Risk Management:

There are a number of factors which could delay the implementation of the LDS and achieving its timetable. These include the potential for further changes in planning guidance and legislation, and further shortages of suitable staff. A degree of contingency is built into the LDS in order to mitigate the impact of such possibilities. A risk assessment is included within the LDS.

Staffing (including Trades Unions):

The Minerals and Waste Local Development Scheme, and the documents it proposes, will be progressed by the Joint Minerals and Waste Planning Unit, in conjunction with officers from each of the three Councils who own it (Bedford Borough, Central Bedfordshire, and Luton Borough).

Equalities/Human Rights:

The Local Development Scheme proposes the preparation of Local Development Documents which will be subject to an Equalities Impact Assessment prior to their publication.

Community Development/Safety:

No implications.

Sustainability:

The Local Development Scheme proposes the preparation of Local Development Documents which provide the policy basis for where, how much, and in what form mineral extraction and waste management takes place in the next fifteen years. These documents will be compliant with the principles of sustainable development for these types of development, as set out in Government guidance, and be subject to a Sustainability Appraisal.

Appendices:

1. Bedford Borough Council, Central Bedfordshire Council, and Luton Borough Council Minerals and Waste Local Development Scheme 2009.
2. Minerals and Waste LDS Production Costs.

Background Papers (open to public inspection):
Minerals and Waste Local Development Scheme 2007
PPS12
Waste Strategy for England 2007

Location of papers: Priory House, Chicksands