



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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**to  
COUNCIL  
14 SEPTEMBER 2023**

**UPDATE ON THE LOCAL DEVELOPMENT SCHEME**

**1. PURPOSE OF THE REPORT**

- 1.1 To update Members on the timetable of the Local Development Plan (LDP) Review and present a revised statutory timetable and Local Development Scheme (LDS) for approval that can be maintained from this point in accordance with legal duties. This report is predicated on the approval of the previous report LDP Preferred Options. If the previous report is not agreed, then this report will need to be deferred because the timetable of the LDP will have to be reassessed.

**2. RECOMMENDATIONS**

- (i) That the revised Local Development Scheme 2023 to 2027 be approved for publication on the Council's website;
- (ii) That the Assistant Director for Planning and Implementation be granted delegated authority in consultation with the Chairperson of the Strategy and Resources Committee to amend the Local Development Scheme timetable, should the timetable slip, to ensure the Council complies with legal requirements on maintaining the Local Development Scheme.

**3. SUMMARY OF KEY ISSUES**

- 3.1 To plan, monitor, manage and understand the risks to the LDP Review as a project it is important to set out a revised timetable not only for the Council but also for the wider public, statutory stakeholders and organisations such as the Planning Inspectorate. This is so they know approximately when the Council will be publishing documents and undertaking consultation and when they therefore may need to engage.
- 3.2 The broad timetable associated with local plans for Councils is legally called a 'Local Development Scheme'. The LDS is required to be published under Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) and also maintained to ensure it remains in date between editions. A draft of the revised LDS is appended to this report at **APPENDIX A**.
- 3.3 In late 2022, work on the LDP Review was paused because Members wished to have reassurance of the methodology of the review. Furthermore, the local elections made it impossible to set out an amended LDS timetable for the LDP Review until this point in time. With the consideration of the Growth Options and reducing the number down from the seven high level options to three which can be tested, a reset of the timetable can now be programmed more accurately. This is because, the

remaining options will require a substantial amount of analysis and testing work to be carried out on them before Members can have enough information and evidence to inform their choice of a Preferred Option. That work comes at a human resources and financial cost for Maldon District Council, Essex County Council (ECC) and other statutory partners including the NHS. This is directly connected to the timetable because the clock on the LDP Review timetable can only be restarted when the number of growth options is reduced in number to allow the more substantial work to begin. A key piece of this work is transport modelling which is going to take a minimum of ten months to complete.

- 3.4 The broad timetable in the LDS at **APPENDIX A** is predicated on getting through the work associated with the preparation of a Preferred Growth Option, including working with Duty to Co-operate Partners.
- 3.5 Further updates to the LDS are likely in the future after Preferred Options to ensure the Council remains on track for preparing the LDP Review; however, a delegation is being sought to enable in-year edits to the timeline to take place to ensure it remains up-to-date in real-time to comply with legal duties.

#### **4. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027**

##### **4.1 Supporting our communities**

- 4.1.1 By ensuring that growth is placed in the most sustainable places in the District it will help to reduce rural isolation, link up with the important infrastructure provision provided by our key strategic partners and ensure it is provided where the majority of people can access it. Having a robust published timetable assists communities in understanding when they can respond to public consultations on the plan.

#### **5. IMPLICATIONS**

- (i) **Impact on Customers** – The work to be done on the three growth options will enable the Council to distil them down to one preferred option which will be consulted on, timetabling this work is important because it helps the Council plan the resources needed to carry out the review of the LDP.
- (ii) **Impact on Equalities** – Not applicable (N/A).
- (iii) **Impact on Risk** – The District is at risk from speculative development and therefore moving on with the timetable, which has been delayed for various reasons, of the LDP review and carrying out the work needed to get to a preferred options stage as quickly as possible will assist the District with this matter. Prematurity is not a reason to refuse planning permission but once a preferred option is agreed and consulted on then that will set out how the District wishes to grow and anything outside of that needs very careful consideration.
- (iv) **Impact on Resources (financial)** – Any further delay in the timetable of the LDP Review will mean evidence work that has been done already may need to be looked at again, which could have a financial consequence and staffing implications. The options have been reduced down in number from seven to three because of two main reasons. Firstly, the cost of carrying out the assessments of each option includes transport modelling, this would be cost prohibitive, it is an estimated cost of £100k. Secondly, key strategic partners

such as the NHS and ECC have to model the options and therefore for them there is also a cost in terms of staffing capacity, they will not commit to modelling more than three options, this includes other key providers such as Anglian Water.

- (v) **Impact on Resources (human)** – The team is fully staffed at present, and this will be monitored as a risk on the project risk register.

Background Papers:

**APPENDIX 1** – Draft of the Local Development Scheme 2023-2027 - July 2023.

Enquiries to: Anne Altoft-Shorland, Head of Planning Policy and Implementation.