

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

4 DECEMBER 2008

**REPORT OF
CORPORATE
MANAGEMENT TEAM**

CABINET DECISION/COUNCIL DECISION/KEY DECISION

Regeneration and Transport – Lead Cabinet Member – Councillor Cook

**ANNUAL MONITORING REPORT 2007/08
LOCAL DEVELOPMENT FRAMEWORK**

1. Summary

This report informs Cabinet Members of the completion of the fourth Local Development Framework Annual Monitoring Report (AMR), prior to it being submitted to the Secretary of State before the end of December 2008. The AMR also includes the schedule of policies from Local Plan Alteration Number 1 which Cabinet have agreed require saving beyond March 2009.

2. Recommendations

Members are recommended to:

i) Note and endorse the Local Development Framework Annual Monitoring Report for 2007/08.

3. Reasons for the Recommendations/Decision(s)

Local planning authorities must prepare a Local Development Framework (LDF) which comprises a folder of Local Development Documents (LDDs) for delivering the spatial strategy for the area (as opposed to the old single plan covering the whole of the authority's area). LDDs comprise Development Plan Documents and Supplementary Planning Documents, which expand policies set out in development plan documents or provide additional detail.

The documents produced as part of the LDF must be founded on a robust and credible evidence base. The preparation of an annual monitoring report is a vital part of this process, to assess whether policies are performing as intended and whether targets are being met.

This report is presented to Cabinet to endorse the findings of the AMR which may influence policy development and inform any amendments to the Local Development Scheme.

4. Members Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.

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DETAIL

1. Review and monitoring are key aspects of the Government's "plan, monitor and manage" approach to the planning system. They are crucial to the successful delivery of the spatial vision and objectives of the Local Development Framework and should be undertaken on a continuous, pro-active basis. By identifying outputs and trends, these techniques will enable local planning authorities to build a comprehensive evidence base against which local development document policies and implementation mechanisms can be assessed. Regulation 48 of the Town and Country Planning (Local Development) (England) Regulations 2004 requires local authorities to produce an Annual Monitoring Report to assess:
 - The implementation of the Local Development Scheme
 - The extent to which policies in Local Development Documents are being achieved.
2. Annual Monitoring Reports must be based upon the period from 1 April to 31 March, and submitted to the Secretary of State no later than the end of the following December. This report deals with Annual Monitoring Report for 2007/08, which needs to be submitted by the end December 2008.

Monitoring

3. Planning Policy Statement 12: creating strong safe and prosperous communities through Local Spatial Planning gives guidance to local authorities as to the content of the Annual Monitoring Report. This should include an assessment of the:

- progress on the timetable and milestones for the preparation of documents set out in the local development scheme including reasons where they are not being met;
- impact the policies are having in respect of national, regional and local policy targets and any other targets identified in Local Development Documents;

and should also:

- include progress against the core output indicators including information on net additional dwellings (as required under Regulation 48(7)) and an update of the housing trajectory to demonstrate how policies will deliver housing provision in their area; and
- indicate how infrastructure providers have performed against the programmes for infrastructure set out in support of the Core Strategy.

Core Output Indicators

4. Under the Local Development Framework guidance, a set of core indicators are included which local authorities are required to address in their Annual Monitoring Report. These indicators have to be collected within a consistent timeframe using a clearly identified set of definitions. Detailed definitions are set out to assist local authorities with this task.
5. New guidelines on indicators were issued in August 2008. However, as some new monitoring systems need to be set up to collect the information required for these, this AMR has been prepared using similar indicators as included in last year's AMR. It is unlikely that new indicators can be fully monitored before 2009/10.

Annual Monitoring Report for 2007/08

6. Attached for Members' information is Stockton Borough's fourth Annual Monitoring Report. This covers the period from April 2007 – March 2008. In the absence of new Local Development Documents that will make up the Local Development Framework, this monitoring report still focuses on the performance of 'saved' policies from Stockton-on-Tees Local Plan, and housing targets set in the Regional Spatial Strategy for the North East.
7. This Annual Monitoring Report will enable the Council to:
 - assess progress towards meeting the targets set out in the Local Development Scheme, and provide a basis for amendments in timetabling, as necessary.
 - strengthen baseline data against which to monitor performance in the future.
 - identify further gaps in the knowledge base, to enable systems to be put in place to collect information required for monitoring.
 - look at the existing Local Plan policies to assess their effectiveness.

Key findings of the 2007/08 Annual Monitoring Report

8. During the year 2007/08, key milestones set out in the Local Development Scheme (LDS) were met. These included consultation on the Preferred Options for the Core Strategy Development Plan Document (DPD), and on the Preferred Options for the joint Tees Valley Minerals and Waste Core Strategy and Site Allocations DPDs.
9. Additionally, other documents which went through a consultation phase are as follows:
 - Consultation on Issues and Options for the Regeneration DPD (Sept./Oct. 2007)
 - Consultation on Issues and Options for the Yarm and Eaglescliffe Area Action Plan (April/May 2007);

- Consultation on Issues and Options for the Joint Tees Valley Minerals and Waste Core Strategy and Site Allocations DPDs (May/June 2007)
- Consultation on the Planning Obligations SPD (August/Sept. 2007)

10. Some facts that may be of interest to Members are:

- The Council has met its housing target as set out in the Regional Spatial Strategy of 600/annum over the past four years. However, this is unlikely to be maintained under the current economic climate.
- The percentage of housing built on previously developed land is just under 60%, well above the Council's target of 40%, but still slightly below the Government target of 60% and there is still some way to go to meet the RSS target of 70%.
- Over 75% of development met the Government's target of more than 30 dwellings per hectare.
- Take-up of employment land was just below 13 hectares, the proposed target set in the Core Strategy DPD.
- Although slightly higher than last year (10.5%), disposal of waste through landfill of below 14% is still one of the best (lowest) in the country.

Saved policies

11. Attached to the AMR is a schedule of policies from Local Plan Alteration Number 1 that need to be 'saved' until replaced by policies in the Local Development Framework. This schedule was agreed by Cabinet on 6 November 2008. The schedule has been submitted to the Secretary of State for consideration.

The Next Steps

12. The Annual Monitoring Report should be submitted to the Secretary of State by the end of December 2008.

FINANCIAL AND LEGAL IMPLICATIONS

Financial

None.

Legal.

The Planning and Compulsory Purchase Act 2004 states that every local planning authority must make an annual report to the Secretary of State. This report must be submitted within 9 months of the end of the monitoring period.

RISK ASSESSMENT

This report is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

COMMUNITY STRATEGY IMPLICATIONS

Economic Regeneration and Transport

The Local Development Framework is the delivery mechanism for the Sustainable Community Strategy. The AMR will help inform on progress in implementation of this Strategy.

Safer Communities

The Local Development Framework is the delivery mechanism for the Sustainable Community Strategy. The AMR will help inform on progress in implementation of this Strategy.

Children and Young People

The Local Development Framework is the delivery mechanism for the Sustainable Community Strategy. The AMR will help inform on progress in implementation of this Strategy.

Healthier Communities and Adults

The Local Development Framework is the delivery mechanism for the Sustainable Community Strategy. The AMR will help inform on progress in implementation of this Strategy.

Liveability

The Local Development Framework is the delivery mechanism for the Sustainable Community Strategy. The AMR will help inform on progress in implementation of this Strategy.

CONSULTATION INCLUDING WARD/COUNCILLORS

Not applicable.

EQUALITY IMPACT ASSESSMENT: This report is not subject to an Equality Impact Assessment as it is a factual report and does not contain any policy content.

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Background Papers:

Planning and Compulsory Purchase Act 2004

The Town and Country planning (Local Development) (England) Regulations 2004;

Planning Policy Statement 12: creating strong safe and prosperous communities through Local Spatial Planning.

Ward(s) and Ward Councillors: N/A

Property: N/A