

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

1 DECEMBER 2011

**REPORT OF CORPORATE
MANAGEMENT TEAM**

CABINET DECISION/COUNCIL DECISION/KEY DECISION

Local Development Framework Annual Monitoring Report

1. Summary

This report informs Members of the completion of the Local Development Framework Annual Monitoring Report (AMR) for 2010/2011, prior to it being submitted to the Secretary of State before the end of December 2011. The AMR contains information about how the Council has performed against its Local Development Scheme and, following the adoption of the Core Strategy in March 2010, it also assesses progress against the Local Development Framework's objectives using locally specific targets and indicators.

2. Recommendations

It is recommended that Cabinet: -

- i) Note and endorse the Local Development Framework Annual Monitoring Report 2010/11.

3. Reasons for the Recommendations/Decision(s)

Review and monitoring are key aspects of the Government's approach to the planning system and should be undertaken on a continuous, pro-active basis. Identifying outputs and trends enables a comprehensive evidence base to be established. This can be used to assess the impact and effectiveness of existing local development document policies, as well as informing new policy development. The AMR must be submitted to the Secretary of State by 31 December 2011.

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 judgment of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; 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, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.

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SUMMARY

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RECOMMENDATIONS

It is recommended that Cabinet: -

- i) Note and endorse the Local Development Framework Annual Monitoring Report 2010/11.

DETAIL

1. Review and monitoring are key aspects of the planning system and should be undertaken on a continuous, pro-active basis. Identifying outputs and trends enables the impact and effectiveness of existing local development document policies to be assessed, as well as informing new policy development.
2. The AMR sets out the Council's progress in meeting the timetable set out in the Local Development Scheme (LDS) and outlines the context of spatial planning and the LDF in Stockton. This Annual Monitoring Report is based on the period 1 April 2010 to 31 March 2011, known as the 'reporting year'. It must be submitted to the Secretary of State no later than the end of December 2011.
3. This AMR reports on the first year of the adopted Core Strategy and progress towards implementing policies, fulfilling objectives and achieving the Core Strategy's vision for the Borough of Stockton-on-Tees. Previous AMRs have been written in accordance with guidance issued by central government, however, the following guidance documents on the production of AMRs were withdrawn in March 2011:
 - Local Development Framework Monitoring: A Good Practice Guide (ODPM, 2005),
 - Annual Monitoring Report FAQs and Emerging Best Practice 2004-05 (ODPM, 2006),
 - Regional Spatial Strategy and Local Development Framework: Core Output Indicators - Update 2/2008 (CLG, 2008).
4. It is therefore a matter for each council to decide what to include in their monitoring reports while ensuring that they are prepared in accordance with relevant UK and EU legislation.

Because the Core Indicators were removed at the end of the reporting year, this AMR reports progress against both Core and Local Output Indicators for to the period 1 April 2010 to 31 March 2011 (the reporting year) wherever the relevant information is available.

5. The AMR concludes that in most areas, progress is being made towards the LDF's objectives and this will increase as the Core Strategy and future DPDs are established as Council policy. The information gathered for the AMR represents a firm foundation of baseline data which will inform the development of future DPDs and SPDs.
4. In subsequent years, it is anticipated that the AMR will become an Authority Monitoring Report, in accordance with the Localism Bill and its draft regulations. These regulations will remove the requirement to prepare a monitoring report for the Secretary of State. Instead, Councils will be required to write a report for local people on key issues to be determined locally. Minimum information to be included in monitoring will include net additional affordable housing, Community Infrastructure Levy receipts, the number of neighbourhood plans that have been adopted, and action taken under the duty to co-operate. Where possible, this information has been included in this Annual Monitoring Report. The new regulations will also require monitoring information to be made available online and in council offices, as soon as it becomes available.
5. The Annual Monitoring Report 2010/2011 is available in the Members' Library and on Eagenda.

NEXT STEPS

6. The AMR will be submitted to the Secretary of State before 31 December 2010.

RECOMMENDATION

7. Members are recommended to: -
 - i) Note and endorse the Local Development Framework Annual Monitoring Report 2010/2011.

FINANCIAL IMPLICATIONS

8. The production and distribution of the Annual Monitoring Report can be met within existing budgetary arrangements.

LEGAL IMPLICATIONS

9. The Planning and Compulsory Purchase Act 2004 requires local planning authorities to produce Local Development Frameworks, which consist of a portfolio of local development documents (LDDs) setting out spatial planning policies for a defined area. This includes Annual Monitoring Reports.

RISK ASSESSMENT

10. The Annual Monitoring Report is categorised as low to medium risk. Existing management systems and daily routine activities are sufficient to control and reduce risk.

SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS

11. The Local Development Framework is key to implementing the spatial aspects of the Sustainable Community Strategy. The Annual Monitoring Report assesses the extent to which the Local Development Framework is achieving these objectives.

EQUALITIES IMPACT ASSESSMENT

12. The Annual Monitoring Report monitors the impact of Development Plan Documents and Supplementary Planning Documents, all of which are subject to an Equalities Impact Assessment prior to adoption.

CONSULTATION INCLUDING WARD/COUNCILLORS

1. The AMR is equally applicable in all parts of the Borough, therefore there was no consultation with specific wards or ward councillors.

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Education related: No

Background Papers:

- Planning and Compulsory Purchase Act 2004
- Planning Act 2008
- The Town and Country Planning (Local Development) (England) Regulations 2004
- The Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008
- Planning Policy Statement 12: Local Spatial Planning (2008)
- Regional Spatial Strategy and Local Development Framework: Core Output Indicators - Update 2/2008

Ward(s) and Ward Councillors: ALL WARDS AND WARD COUNCILLORS

Property: N/A