

WIRRAL COUNCIL

CABINET – 10 DECEMBER 2008

REPORT OF THE DEPUTY CHIEF EXECUTIVE AND DIRECTOR OF CORPORATE SERVICES

**LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL – ANNUAL MONITORING REPORT 2007/08**

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**EXECUTIVE SUMMARY**

- 1.1 Section 35 of the Planning and Compulsory Purchase Act 2004 requires the Council to submit an Annual Monitoring Report to the Secretary of State by 31 December each year. The Report must cover progress on the Council's Local Development Framework over the preceding period from 1 April to 31 March.
- 1.2 There is no requirement for public consultation on the content of the Annual Monitoring Report but copies of the Report must be made available for public inspection on the Council's website.
- 1.3 The report recommends that the draft Annual Monitoring Report for 2007/08, attached to this report, is agreed for submission to the Secretary of State and is placed on the Council's website for public inspection.

**2 Background**

- 2.1 Section 35 of the Planning and Compulsory Purchase Act 2004 requires every local planning authority in the country to make an annual report to the Secretary of State.
- 2.2 The Council's Annual Monitoring Report must be prepared for the twelve month period ending on 31 March each year and must be submitted to the Secretary of State by the 31 December following. There is no requirement for public consultation on the content of the annual report.
- 2.3 The Annual Monitoring Report must report on the progress made in implementing the Local Development Scheme and must report on the extent to which the policies set out in individual Local Development Documents are being achieved. In particular it must:
  - record the stage that each Local Development Document has reached against the key milestones set out in the approved Local Development Scheme;
  - provide a statement of the reasons for any delay in the preparation of an individual Document and outline the steps that will be taken to prepare the document in the future;
  - monitor actual performance against any annual number or other number set out in a policy within the Regional Spatial Strategy or a Development Plan Document, from the date the policy was adopted or approved, particularly for housing; and

- identify any policy that the Council is not implementing, alongside the reasons for not implementing it, together with the steps that the Council will take to amend or replace the policy.

2.4 Annual Monitoring Reports must also provide a list of local development orders, made under Section 61A of Town and Country Planning Act 1990 as amended, setting out the reason for the order, its actual effects, and a record of any revocations.

2.5 The Council is required to make the Annual Monitoring Report available for public inspection on the Council's website as soon as reasonably practicable after the Report has been formally submitted to the Secretary of State.

2.6 The Report is used as the basis for the annual review of the Council's Local Development Scheme.

### **3 Draft Annual Monitoring Report**

3.1 The draft Annual Monitoring Report for Wirral for 2007/08 is attached to this report.

3.2 The Report provides an overview of the main challenges facing the Borough. It sets out the Council's progress on the production of Local Development Documents and records the Borough's performance against national Core Output Indicators for business development and town centres, housing, environmental quality, minerals and waste. It also begins to draw out the implications of the Borough's performance against these indicators for future policy development.

3.3 The Report for 2007/08 concludes that the next review of the Council's Local Development Scheme will need to:

- (i) reflect the most recent changes to national legislation;
- (ii) update the position with regard to the Regional Spatial Strategy;
- (iii) reflect progress on the completion of the evidence base studies necessary to underpin the emerging Core Strategy;
- (iv) provide for consultation on the vision and objectives of the Core Strategy during early 2009 and the consideration of strategic options later in the year;
- (v) re-assess the need for any additional site-specific Development Plan Documents;
- (vi) reflect progress on the Mersey Heartlands Growth Point and the need for Area Action Plans for the neighbourhoods affected; and
- (vii) reflect the revised timetable for the Joint Merseyside Waste Development Plan Document.

3.4 The current year monitoring year has seen a number of changes designed to improve the system brought in by the Planning and Compulsory Purchase Act 2004. These changes have included amendments to the national Regulations; to the national

policies contained within PPS12; revisions to the national Core Output Indicators; and the replacement of Creating Local Development Frameworks with an on-line manual. The Planning Bill is expected to receive Royal Assent in December 2008.

- 3.5 The latest Regional Spatial Strategy for the North West was issued in September 2008 (Cabinet, 6 November 2008, Minute 257 refers).
- 3.6 Cabinet on 24 January 2007 (Minute 245) and on 15 March 2007 (Minute 284) resolved that a number of additional studies should be undertaken to strengthen the evidence base for the Core Strategy. These studies are now nearing completion. Consultation on the results of these studies is expected to be completed by mid-2009.
- 3.7 Cabinet on 27 November 2008 (Item 5 refers) considered a two stage consultation process to finalise the issues, objectives and spatial vision for the Core Strategy and to assess alternative spatial options to enable the Council to consult on the Council's Preferred Options. The approval of Preferred Options will require a resolution of Full Council. The target date for the adoption of the Core Strategy in the existing Local Development Scheme was October 2009 but is now expected to be January 2011.
- 3.8 The timetable for additional site-specific Development Plan Documents is dictated by progress on the preparation of the Core Strategy. National policy now requires the Council to re-consider the justification for preparing additional site-specific Development Plan Documents in the Local Development Scheme. The final decision will be influenced by the possibility of including strategic sites within the Core Strategy, which national policy did not previously allow.
- 3.9 The Mersey Heartlands Growth Point was submitted to the Government in October 2007. The project was shortlisted in July 2008 and the Council submitted a Programme of Development in October 2008. The Council has been working with Peel Holdings, to establish a Strategic Regeneration Framework for the emerging proposals, based around a series of neighbourhood master plans, which may need to be prepared as Area Action Plans if they are to be formally included within the Local Development Framework.
- 3.10 A revised timetable for the preparation of the Joint Merseyside Waste Development Plan Document being prepared by the Merseyside Environmental Advisory Service on behalf of the Merseyside Districts and Halton, was submitted to the DPD Steering Group in October 2008. The target date for adoption is now April 2011.

#### **4 Financial Implications**

- 4.1 There are no financial implications arising directly from this report.
- 4.2 Performance against the programme of plan preparation set out in the Council's approved Local Development Scheme is proposed as an assessment measure for the future award of Housing and Planning Delivery Grant.
- 4.3 Any additional costs arising from the conclusions of the Annual Monitoring Report will need to be considered as part of the review of the Local Development Scheme in early 2009.

## **5 Staffing Implications**

5.1 There are no staffing implications arising directly from this report.

## **6 Equal Opportunities Implications**

6.1 There are no implications for equal opportunities arising directly from this report. The publication of Issues and Objectives for the Core Strategy had been held back to allow consultation with under-represented groups.

## **7 Community Safety Implications**

7.1 There are no community safety implications arising from this report. The Local Development Framework for Wirral will, however, include policies that will seek to protect and improve community safety.

## **8 Local Agenda 21 Implications**

8.1 There are no Local Agenda 21 implications arising from this report. The Council has a legal duty to prepare the Local Development Framework with a view to contributing to the promotion of sustainable development. Documents prepared as part of the Local Development Framework will be subject to a statutory sustainability appraisal.

## **9 Anti-Poverty Implications**

9.1 There are no anti-poverty implications arising directly from this report. The Local Development Framework will, however, include policies that will seek to promote opportunities for wealth creation.

## **10 Social Inclusion Implications**

10.1 There are no social inclusion implications arising directly from this report. The Local Development Framework will, however, include policies that will seek to support and promote social inclusion.

## **11 Local Member Support Implications**

11.1 This report has no Ward Member implications.

## **12 Background Papers**

12.1 Planning and Compulsory Purchase Act 2004 can be viewed at [www.opsi.gov.uk/acts/acts2004/20040005.htm](http://www.opsi.gov.uk/acts/acts2004/20040005.htm)

12.2 Town and Country Planning (Local Development)(England) Regulations 2004 (SI 2004, No.2204) can be viewed at [www.opsi.gov.uk/si/si2004/20042204.htm](http://www.opsi.gov.uk/si/si2004/20042204.htm)

12.3 The Town and Country Planning (Local Development)(England)(Amendment) Regulations 2008 (SI 2008 No 1371) can be viewed at [http://www.opsi.gov.uk/si/si2008/pdf/uksi\\_20081371\\_en.pdf](http://www.opsi.gov.uk/si/si2008/pdf/uksi_20081371_en.pdf)

- 12.4 Planning Policy Statement 12: Local Spatial Planning (CLG, 2008) can be viewed at <http://www.communities.gov.uk/documents/planningandbuilding/pdf/pps12lsp.pdf>
- 12.5 The Plan Making Manual can be viewed at <http://www.pas.gov.uk/pas/core/page.do?pagelid=51391>
- 12.6 Local Development Framework Monitoring: A Good Practice Guide (ODPM, 2005) can be viewed at <http://www.communities.gov.uk/publications/planningandbuilding/localdevelopmentframework>
- 12.7 Regional Spatial Strategy and Local Development Framework Core Output Indicators (Update 2/2008) (CLG, July 2008) can be viewed at <http://www.communities.gov.uk/documents/planningandbuilding/pdf/coreoutputindicators2.pdf>
- 12.8 The emerging Planning Bill can be viewed at <http://services.parliament.uk/bills/2007-08/planning.html>
- 12.9 Local Development Scheme for Wirral (July 2007) can be viewed at <http://www.wirral.gov.uk/LGCL/100006/200074/856/LDSReviewFinalJuly07.pdf>
- 12.10 Cabinet 27 November 2008 – Local Development Framework for Wirral – Core Strategy Development Plan Document – Public Consultation on Issues and Objectives can be viewed at [http://democracy.wirral.gov.uk/Published/C00000121/M00000352/AI00002409/\\$CABCS081127REP5.docA.ps.pdf](http://democracy.wirral.gov.uk/Published/C00000121/M00000352/AI00002409/$CABCS081127REP5.docA.ps.pdf).

## RECOMMENDATIONS

That

- (1) the Local Development Framework Annual Monitoring Report for 2007/08, attached to the report, be approved for formal submission to the Secretary of State; and
- (2) the Local Development Framework Annual Monitoring Report for 2007/08, as submitted, be placed on the Council's website for public inspection.

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This report has been prepared by the Forward Planning Section who can be contacted on 691 8222.