

# WIRRAL COUNCIL

## DELEGATED DECISION

<b>SUBJECT:</b>	<b>LOCAL DEVELOPMENT FRAMEWORK FOR WIRRAL – ANNUAL MONITORING REPORT</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>STRATEGIC DIRECTOR REGENERATION AND ENVIRONMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR PAT HACKETT, ECONOMY</b>
<b>KEY DECISION?</b>	YES

### 1.0 EXECUTIVE SUMMARY

1.1 This report seeks approval for the publication of the Council's statutory Annual Monitoring Report (AMR), which reports on the impact of land use planning policies and the preparation of local plans and other planning documents during 2012/13. Copies of the AMR must be made available for public inspection on the Council's website by the end of December 2013.

### 2.0 BACKGROUND AND KEY ISSUES

2.1 Section 35 of the Planning and Compulsory Purchase Act 2004 requires the Council to make a statutory annual report on the progress made in the preparation of Local Development Documents and on the extent to which the policies set out in existing Local Development Documents are being achieved.

2.2 Previous Annual Monitoring Reports have been published on the Council's website at <http://www.wirral.gov.uk/my-services/environment-and-planning/planning/local-development-framework/annual-monitoring-reports>

2.3 The Council must report to the public over a period no longer than every twelve months. The Council's last AMR was published in December 2012.

2.4 National regulations require the Council to make reports on:

- the approval or adoption of local plans and supplementary planning documents;
- the stage that each local plan or supplementary planning document has reached against the timetable specified for document preparation in the Council's Local Development Scheme and the reasons for any delay;
- the delivery of net additional dwellings or net affordable dwellings against any number specified in a local plan within each reporting period and since the policy was first published, adopted or approved;
- any adopted local plan policy that the Council is not implementing, alongside the reasons for not implementing it and the steps (if any) that the Council intend to take to secure that the policy is implemented;
- the making of any neighbourhood development orders or neighbourhood development plans;
- the collection and expenditure of any Community Infrastructure Levy, in the manner set out in the Community Infrastructure Regulations; and

- details of the action taken to co-operate with other local planning authorities and prescribed bodies on strategic matters to secure the sustainable development or use of land.

2.5 Up-to-date information collected for monitoring purposes must be made available for public inspection at the local planning authority's principal office (and at any other such places as the local planning authority consider appropriate) and published on the local planning authority's website, as soon as possible after the information becomes available.

2.6 The Government's Open Data policy for local government recommends that data (unless private or sensitive) is made available on-line in open and machine-readable formats so that it can be easily re-used by residents, businesses and other interested parties.

2.7 Council on 13 February 2013 (Minute 108) resolved that the Portfolio Holder be given authority to approve the publication of future monitoring information on the Council's website, in line with the requirements of relevant national regulations.

### **3.0 ANNUAL MONITORING REPORT FOR 2012/13**

3.1 The draft Annual Monitoring Report for Wirral for 2012/13, which has been prepared in line with previous formats, is attached to this report.

3.2 A summary of the main findings is set out below:

#### **Progress on Policy Delivery**

3.3 While the prolonged national recession has continued to have a noticeable impact, signs of improvement are now evident in a number of social, housing and employment indicators.

3.4 The delivery of new homes has finally begun to improve after four years of decline but is still at three-quarters of the level achieved before the recession. The number of demolitions has, however, continued to be high, as a result of the continued removal of poor quality, obsolete social housing owned by Magenta Living, significantly reducing the number of net completions to only 252, compared to 564 during the market peak in 2007/08.

3.5 The basic supply of land with planning permission for new housing had decreased only slightly to 3,155 units, compared to 3,250 units at March 2012 but outline planning permission was also granted for 13,521 new dwellings at Wirral Waters in May 2012.

3.6 The Council's housing land supply has been assessed against the requirement for new dwellings set out in the former Regional Spatial Strategy, which was still in force at the end of the monitoring period, as well as against the more recent 2008-based and 2011-based national household projections.

3.7 The analysis against the now revoked Regional Spatial Strategy shows a supply of 4.3 years at April 2013 or 3.6 years including a 20% buffer in line with paragraph 47 of the National Planning Policy Framework. The analysis against to 2008-based projections shows a supply of 6.3 years at April 2013 or 5.3 years including a 20% buffer. The analysis against the Interim 2011-based projections shows a supply of 8.9 years or 7.5 years including a 20% buffer, excluding the additional capacity at Wirral Waters.

3.8 The Council's housing land supply will, however, need to be re-assessed against the revised housing requirement to be identified following the completion of the latest Strategic Housing Market Assessment and the findings of the Core Strategy Viability Study, which are both expected to report in early 2014.

- 3.9 While indicators for economic activity, key benefits claimants and business numbers have continued to recover, very little new development took place during 2012/13 and there was a net loss of employment floorspace to other uses including leisure and training.
- 3.10 The amount of new retail and leisure development has, however, remained relatively stable, with the completion of projects such as Aldi in West Kirby, The Curve in Heswall, Tesco Express in Egremont, Bubbles World of Play in New Brighton and the relocation of the bowling alley in Bromborough.

#### **Progress on Plan Preparation**

- 3.11 The former Regional Spatial Strategy was revoked on 20 May 2013 and now no longer forms part of the statutory Development Plan for Wirral.
- 3.12 The Joint Waste Local Plan for Merseyside and Halton was formally adopted by each of the six participating councils with effect from 18 July 2013 (Council, 15 July 2013, Minute 7 refers).
- 3.13 Progress on the Core Strategy Local Plan was last reported as part of a Delegated Decision published on 20 June 2013. An initial series proposed modifications to the Proposed Submission Draft Core Strategy, which was published in December 2012, were made available for public comment between 24 July and 13 September 2013.
- 3.14 The approval of a revised Proposed Submission Draft Core Strategy for publication and submission to the Secretary of State, which will require a resolution of full Council, is expected to be reported to Cabinet in early 2014, following the completion of the revised Strategic Housing Market Assessment, a Core Strategy Viability Study and a sub-regional assessment of the accommodation needs of gypsies and travellers.
- 3.15 Although a revised timetable will need to be agreed once the findings from these additional studies have been received and reported, the final Core Strategy is currently expected to be adopted by April 2015.
- 3.16 No other Local Plans are scheduled for preparation until the Core Strategy has been adopted.

#### **4.0 RELEVANT RISKS**

- 4.1 Failure to produce an Annual Monitoring Report for 2012/13 and to provide for the ongoing collection, analysis and publication of annual monitoring information would place the Council in breach of a statutory duty.
- 4.2 The Open Government Licence provides for the data to be provided as is and offers no warranty against any errors or omissions or against any loss, injury or damage of any kind caused by its use.
- 4.3 No data which could identify any individual will be published in contravention of the Data Protection Act 1998.

#### **5.0 OTHER OPTIONS CONSIDERED**

- 5.1 The alternative options available are constrained by national regulations which require the annual publication of monitoring information as soon as possible after the information becomes available.

- 5.2 Not providing data in open, machine-readable format would be contrary to the recommendations set out in the Government's 'Code of Recommended Practice for Local Authorities on Data Transparency' (DCLG, September 2011).

## **6.0 CONSULTATION**

- 6.1 There is no requirement for public consultation on the content of annual monitoring reports, which are a factual statement of progress during the previous monitoring year. Copies of annual monitoring information must, however, be made available for public inspection at a principal office and on the Council's website.
- 6.2 The scope of future annual monitoring, in addition to any statutory requirements, is subject to public consultation as part of the preparation of statutory local plans, such as the Council's Core Strategy, which must include a series of indicators for monitoring the delivery and effectiveness of local plan policies.
- 6.3 Consultation on the draft Monitoring Plan to accompany the publication of a Revised Proposed Submission Draft Core Strategy is expected to take place early in 2014.

## **7.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

- 7.1 There are no implications for voluntary, community and/or faith groups, other than the provision of more accessible public information.

## **8.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 8.1 There are no financial, IT, staffing or asset implications arising from this report, beyond the need to make continued provision for statutory annual monitoring and data storage.
- 8.2 The publication of data in a machine readable format on the Council's website will not incur any additional costs.
- 8.3 Annual monitoring, analysis and reporting will be undertaken using existing resources within the Forward Planning Section of Regeneration and Planning.

## **9.0 LEGAL IMPLICATIONS**

- 9.1. The publication of annual monitoring information is a statutory requirement under the Section 35 of the Planning and Compulsory Purchase Act 2004.
- 9.2 The Council must make any up-to-date information collected for monitoring purposes available to the public as soon as possible after the information becomes available.
- 9.3 The Community Infrastructure Regulations 2010 require the Council to publish a report on its website no later than 31 December following the end of the reported year.
- 9.4 The Open Government Licence provides for the Council's right to be identified as the source of the data and for the Council to be protected from any liabilities arising from its use.

## **10.0 EQUALITIES IMPLICATIONS**

- 10.1 Has the potential impact of your proposal(s) been reviewed with regard to equality?

(a) Yes and impact review is attached at –

<http://www.wirral.gov.uk/my-services/community-and-living/equality-diversity-cohesion/equality-impact-assessments/eias-2010/regeneration-housing-planning>

10.2 Although the Annual Monitoring Report includes information on indicators related to population, housing, economic activity and social conditions it does not in itself have any equalities implications other than providing an additional source of accessible up-to-date public information.

### **11.0 CARBON REDUCTION IMPLICATIONS**

11.1 The Annual Monitoring Report includes information on indicators relating to development rates, travel, environmental quality, energy, minerals and waste management but does not in itself have any carbon reduction implications.

### **12.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

12.1 The Annual Monitoring Report includes information on recorded outcomes arising from the application of national, regional and local planning policies and local planning decisions in Wirral. The report does not have any community safety implications.

### **13.0 RECOMMENDATIONS**

13.1 That the Annual Monitoring Report for 2012/13, attached to this report, and its accompanying data tables, are approved and placed on the Council's website for public inspection.

### **14.0 REASON/S FOR RECOMMENDATION/S**

14.1 To enable the Council to meet the statutory requirements of the Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (SI 2012, No. 767).

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### **APPENDICES**

Draft Annual Monitoring Report 2012/13

#### Data Tables

Wirral Committed Residential Sites April 2013  
Wirral Housing Completions 2012/13  
Wirral Employment Land April 2013  
Wirral Business Completions 2012/13  
Wirral Business Losses 2012/13  
Wirral Retail Completions 2012/13  
Wirral Leisure Completions 2012/13

## REFERENCE MATERIAL

[Planning and Compulsory Purchase Act 2004](#) (Section 35 refers)

[Localism Act 2011](#) (Section 113 refers)

[Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) (Regulation 34)

[Community Infrastructure Regulations 2010](#) (Regulation 62 refers)

National Archives [Open Government Licence](#) for public sector information

[Code of Recommended Practice for Local Authorities on Data Transparency](#) (DCLG, September 2011)

[National Planning Policy Framework](#) (DCLG, March 2012)

## SUBJECT HISTORY (last 3 years)

<b>Council Meeting</b>	<b>Date</b>
Cabinet – Annual Monitoring Report 2010 (Minute 229)	25 November 2010
Cabinet – Annual Monitoring Report 2011 (Minute 244)	8 December 2011
Cabinet – Annual Monitoring Report 2013 (Minute 156)	20 December 2012
Council – Local Development Framework – Annual Monitoring Reports (Minute 108)	11 February 2013