

 EXECUTIVE 9th JANUARY 2013		Agenda Item No. <h1 style="text-align: center;">7</h1>
Title	Annual Monitoring Report & Local Development Scheme 2012	
For further information about this report please contact	Dave Barber	
Service Area	Development Services	
Wards of the District directly affected	All	
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006	No	
Date and meeting when issue was last considered and relevant minute number	1 st December 2011 (LDS & AMR 2011) 24 th October 2012 (Local Plan Timetable)	
Background Papers	Annual Monitoring Report Local Development Scheme	
Contrary to the policy framework:	No	
Contrary to the budgetary framework:	No	
Key Decision?	Yes	
Included within the Forward Plan? (If yes include reference number)	Yes (Ref 451)	
Officer/Councillor Approval		
With regard to officer approval all reports <i>must</i> be approved by the report authors relevant director, Finance, Legal Services and the relevant Portfolio Holder(s).		
Officer Approval	Date	Name
Relevant Director	10/12/12	Bill Hunt
Chief Executive	10/12/12	Chris Elliott
CMT	10/12/12	
Section 151 Officer	10/12/12	Mike Snow
Legal	10/12/12	Ian Marriott
Finance		N/A
Portfolio Holder(s)	11/12/12	Cllr Les Caborn
Consultation Undertaken		
Please insert details of any consultation undertaken with regard to this report. Consultation has taken place with Executive Members and Group Leaders		
Final Decision?	Yes	

1. SUMMARY

- 1.1 This report seeks approval for the Annual Monitoring Report 2012 (AMR). The AMR assesses the extent to which existing planning policies and proposals are being implemented against a range of indicators. The AMR also monitors progress on the preparation of planning policy documents and therefore informs the review of the Council's Local Development Scheme (LDS).
- 1.2 The LDS is a project plan that outlines what planning policy documents the Council intends to prepare. The Council approved its current LDS in December 2011 and this was brought into effect in the same month following its submission to the Secretary of State. This report also therefore seeks approval for a revised LDS to be published in light of progress that the Council has made during 2012.

2 RECOMMENDATION

- 2.1 That the Executive approves the 2012 Annual Monitoring Report set out in **Appendix A**
- 2.2 That Executive approves the Local Development Scheme, including the project plans attached as **Appendix B**.
- 2.3 That Executive allocates an additional sum £135,000 (including a contingency of £25,000) from the Planning Appeals Reserve to meet the costs of preparation of the Local Plan and other development plan documents during 2013/14 and 2014/15 and that authority to spend the delegated budget by given to the Head of Development Services, in conjunction with Deputy Leader

3 REASONS FOR THE RECOMMENDATION

- 3.1 **Recommendation 2.1 - Annual Monitoring Report:** The Council is required to prepare and publish an Annual Monitoring Report (AMR) each year. The AMR records the extent to which the Council's planning policies are achieving their objectives having regard to a range of indicators. The 2012 AMR therefore monitors progress on the implementation of key policies from the adopted Local Plan, as well as its supporting Supplementary Planning Documents, for the monitoring period April 2011 to March 2012.
- 3.2 In line with Government guidance, the AMR records progress towards meeting targets or milestones originating from local, regional or national policy. This includes progress towards meeting the employment land requirements, the adopted Regional Spatial Strategy housing requirements and the target for the provision of affordable housing.
- 3.3 The Key Findings of the AMR provide a summary of performance against the core output indicators and are attached to this report as **Appendix A**. The full AMR including more detailed discussion of progress against each

indicator is a large document and can be viewed on the Council website at www.warwickdc.gov.uk/amr.

- 3.4 **Recommendation 2.2 - Local Development Scheme:** The AMR records the Council's progress in preparing planning policy documents as set out in its Local Development Scheme (LDS). This annual review provides an opportunity to update the LDS in light of progress made during the year. The current LDS was approved by Council on 1st December 2011. The updated project plans within the draft LDS are set out in **Appendix B**, with the main changes outlined below. The draft LDS in its entirety can be viewed on the Council website at www.warwickdc.gov.uk/lds.
- 3.5 The revised timetable for the preparation of the new Local Plan was approved by Council on 24th October 2012. The LDS set out below does not propose any further changes to this timetable and it is still anticipated that the new Local Plan will be developed in line with the approved timetable. No further revisions are therefore recommended at this stage.
- 3.6 It is important for the Council to set out its programme for other planning policy documents that will be required to support the Local Plan after its adoption. Work is already well advanced on an Area Action Plan for Warwick Town Centre. Its timetable is amended to reflect the current position and the revised timetable for the Local Plan, as the process onwards to adoption of the Area Action Plan is recommended to be aligned with the Local Plan to ensure consistency between the Local Plan and the Town Centre Area Action Plan.
- 3.7 It has also been agreed that an Area Action Plan for Leamington Town Centre is to be prepared recognising the need to plan for the longer term strategic retail, office and leisure requirements of the District, and to address wider issues such as regeneration, conservation and transportation. The changes in the process of preparation of the Local Plan mean that resources will not be freed up to commence this work in 2012/13 and it is therefore recommended to be deferred to commence in early 2014.
- 3.8 Following the adoption of the Local Plan in late Spring 2014 additional capacity will be available to begin preparation of further area action plans, for example for Kenilworth Area Action Plan and Lillington Area Action Plan. Details of this will be agreed during 2013 and will be published in the 2013 LDS.
- 3.9 **Recommendation 2.3 – Budget to Support the Preparation of Development Plan Documents:**
- 3.10 The proposed planning policy documents contained within **Appendix B** will have resource implications for the Council in terms of staff time, as well as financial implications in terms of costs of publicity, preparation of consultation material, consultation exercises, specialist advice in the preparation of robust, technical evidence and legal advice to support the process within the new and emerging national framework and regulations.

3.11 At its meeting on 6th January 2011, the Executive approved a budget to support the Local Development Scheme including the Local Plan and town centre plans. This provided for a £404,000 LDS budget allocated as follows:

- 2011/12, 2012/13, 2013/14: £324,000 (Local Plan and Warwick Town Centre Plan)
- 2013/14 and beyond: £80,000 for Leamington Town Centre Plan

3.12 This was to be drawn down from the unallocated Planning Appeals Reserve. To date this has been used to undertake a range of studies to ensure the evidence base for the Local Plan is robust. These studies have included the Strategic Housing Market Assessment, transport assessments and related infrastructure requirements; an updated strategic flood risk assessment; a landscape assessment; a gypsy and travellers accommodation assessment; a CIL viability study; a sports facilities and playing pitches study and a retail study. In addition it has enabled a temporary resource to be recruited in to the Planning Policy Team to manage the allocation of sites in villages and to support consultation analysis and other core work associated with the Local Plan.

3.13 A combination of factors means that it is now necessary to ask to draw down further funding from the Planning Appeals Reserve. These factors include:

- The need to review aspects of the evidence base to bring them up to date – necessary because some of the original evidence prepared for the emerging Core Strategy is now out of date
- The need to work within the new national planning system which requires more locally-based evidence (rather than regional evidence) and advice from legal and technical experts to ensure we are developing our planning documents within the new legal and planning framework.
- The need to factor in the additional costs associated with developing a CIL scheme.
- Unknown factors, particularly in relation to potential legal and evidential challenges, make it hard to be exact about budgetary requirements. It is therefore only possible to make estimations at this stage, and to maximise the likelihood of delivering a sound plan within the agreed timetable, it is suggested that a contingency budget should be allowed for to enable the unknown factors to be managed.

3.14 Specifically, the further costs that are anticipated for the remainder of 2012/13 and during 2013/14 are:

- Further transport infrastructure studies to establish specific requirements and costs
- Legal advice to ensure legal compliance of the process and soundness of the plan
- Undertaking a sustainability appraisal (a requirement of the Planning Regulations)

- Ongoing advice on CIL – a new area of work required to ensure the income from the Levy can deliver infrastructure priorities
- Employment land requirements study
- Continuation of a temporary resource to support the work to identify development sites in villages through until October 2013
- Consultation costs
- Costs of examining the Local Plan, CIL and the Warwick Town Centre Plan (this alone is estimated to be in the region £150,000).

3.15 To cover this work (including the contingency) an additional £135,000 will be required from the Planning Appeals Reserve. The reserve currently has an unallocated balance of £313,500.

3.16 It is proposed that this budget is comprised as follows:

Warwick Town Centre Plan: Evidence, Advice and Consultation	£35,000
Local Plan and CIL: Evidence, Resources, Advice and Consultation	£274,000
Examination in Public Costs (WTCP, Local Plan and CIL)	£150,000
Leamington Town Centre Plan	£80,000
Total Budget for LDS 2010/11 to 2014/15	£539,000

3.17 The table below shows the broad areas of spending along with the spending profile.

Year	Area of Spending	Spent or Committed	Proposed
2011/12	Warwick Town Centre Plan Evidence, Advice and Consultation	£800	-
	Local Plan Evidence, Resources, Advice and Consultation	£57,000	-
2012/13	Warwick Town Centre Plan Evidence, Advice and Consultation	£11,400	£7,000
	Local Plan Evidence, Resources, Advice and Consultation	£112,600	£31,000
2013/14	Warwick Town Centre Plan Evidence, Advice and Consultation	-	£15,800
	Local Plan Evidence, Resources, Advice and Consultation	£18,000	£30,000
	Examinations in Public Costs (WTCP, Local Plan and CIL)	-	£150,000
	Local Plan Contingency	-	£25,000
2014/15/16	Leamington Town Centre Plan Evidence, Advice and Consultation	-	£40,000
2016	Examination in Public for LTCP	-	£40,000

3.18 It is proposed that authority to spend the £25,000 contingency budget be delegated to the Head of Development Services in consultation with the Deputy Leader and that should this budget not be required it be returned

to the balance of the Planning Appeals Reserve following the adoption of the Local Plan, along with any other underspends.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 It is a requirement that the Council prepares and publishes an Annual Monitoring Report and that it regularly updates the Local Development Scheme (LDS). As an alternative option to the proposed revisions to the LDS, the Council could choose to vary the timetable for the Local Plan or not proceed with its Area Action Plans for Warwick and Leamington town centres. However, this could potentially leave the District without an up-to-date planning policy framework and could result in ad hoc planning decisions being taken regarding various developments to the detriment of the District.
- 4.2 An alternative to releasing the additional funds from the Planning Appeals Reserves would be to require the plans to be prepared within the budget that were agreed in January 2011. Whilst it would be possible to do this, the impact would be a significantly increased risk that the agreed timetable could not be delivered or that insufficient evidence to support proposals will be available thereby increasing the risk that the Local Plan will be found unsound. This option is not therefore recommended.

5 BUDGETARY FRAMEWORK

- 5.1 There are no additional budgetary implications resulting from the preparation of the Annual Monitoring Report as this is undertaken using existing staff resources.
- 5.2 In relation to the Local Development Scheme, one of its roles is to make clear the priorities of the Council in terms of its programme of future planning policy work and how these will be resourced and managed. There are resource implications of this as described in para 3.9 to 3.18 above. However, it has to be recognised that the alternative of not having an up-to-date planning policy framework in place increases the risk of incurring greater costs in terms of defending its planning decisions at appeals. Moreover, having a framework in place, particularly for the town centres, will enable the Council to more appropriately plan and deliver greater efficiency in terms of its use of its assets and those of other public and private sector partners.

6 POLICY FRAMEWORK

- 6.1 The Annual Monitoring Report will help to inform the development of planning policy within the District and the Local Development Scheme will set out the programme for the preparation of the Council's planning policy documents. All such planning policy documents that are prepared will need to align with the Sustainable Community Strategy and the Council's Corporate Strategy where appropriate.