

East Herts Council Non-Key Decision Report

Date: 6th December 2023

Report by: Councillor Vicky Glover Ward – Executive Member for Planning and Growth

Report title: The East Herts Authority Monitoring Report (AMR) 2020-21; 2021-22; 2022-23

Ward(s) affected: All

Summary

- The purpose of this report is to seek approval for the publication of the Authority Monitoring Report (AMR) 2020-21; the Authority Monitoring Report (AMR) 2021-22; and the Authority Monitoring Report (AMR) 2022-23.

RECOMMENDATIONS FOR DECISION:

A) The three Authority Monitoring Reports (AMR) 2020-21, 2021-22, and 2022-23 contained in Appendices A, B and C be approved for publication.

1.0 Proposal(s)

- 1.1 Local planning authorities are required to publish an annual account that shows progress with local plan preparation, reports any activity relating to the duty to cooperate, any information collected which relates to indicators in the Plan, and any policies which are not being implemented. This is the role of the Council's Authority Monitoring Report.
- 1.2 It is usual for the Council to annually publish a single updated Authority Monitoring Report relating to the previous

monitoring year. However, delays in the monitoring years of 2020-2021 and 2021-2022 mean that the previous reports are being published alongside the latest 2022-2023 Authority Monitoring Report. This now brings East Herts up to date with its monitoring requirement.

2.0 Background

2.1 Regulation 34 of the Town and Country (Local Planning) (England) Regulations 2012 states that a local planning authority's monitoring report should contain the following information:

- The title of the Local Plans or Supplementary Planning Documents (SPDs) specified in the local planning authority's Local Development Scheme (LDS).
- In relation to each of those documents:
 - the timetable specified in the Local Planning Authority's LDS for the documents' preparation;
 - the stage the document has reached in its preparation;
 - if the documents preparation is behind the timetable, the reasons for this.
- Where any Local Plan or SPD specified in the local planning authority's LDS has been adopted or approved within the period in respect of which the report is made, a statement of that fact and of the date of adoption or approval.
- Details of the net additional dwellings or net additional affordable dwellings in any part of the local planning

authority's area.

- Where a local planning authority has made a Neighbourhood Development Order or a Neighbourhood Plan, the local planning authority's monitoring report must contain details of these documents.
- Where a local planning authority has adopted a Community Infrastructure Levy, the local planning authority's monitoring report must contain information on the amount of CIL collected and the amount spent.
- Where a local planning authority have co-operated (through the Duty to Cooperate) with another local planning authority, county council, or a body or person, the local planning authority's monitoring report must give details of what action they have taken during the period covered by the report.

2.2 The Authority Monitoring Reports (AMR), the subject of this report, cover the period 1st April to 31st March of the relevant year. The format of the AMRs reflects both the regulations set out above and a more localised approach to monitoring. The Council has updated its monitoring framework to reflect the adopted East Herts District Plan and it is likely that the format of future monitoring documents will continue to evolve as monitoring is adapted and new data becomes available.

2.3 The three AMRs (2020-21, 2021-22, 2022-23) can be viewed in **Appendices A, B and C**. The most up-to-date AMR (2022-23) can be found in **Appendix C**. The format of the latest AMR (2022-23) has been updated to make the document more accessible/user friendly.

3.0 Reason(s)

3.1 The three AMRs are split into a number of sections in order to address the requirements set out above. Below, is a summary of the information found within each chapter of the AMRs.

3.2 The first section (Chapter 2) provides the social, economic and environmental context within which the District Plan and its policies are assessed. This section highlights some of the key trends, issues and opportunities that face the District and contribute to its overall profile.

3.3 Chapters 3 to 6 cover the following:

- Chapter 3: The Development Plan; this section provides a policy context and a description of the various Development Plan Documents and other Plans or strategies that are relevant to the AMR and form the statutory Development Plan in East Herts.
- Chapter 4: Local Development Scheme (LDS); this section monitors the progress made by the Council in producing the documents set out in the July 2020 LDS.
- Chapter 5: Neighbourhood Planning; This section monitors the progress made in Neighbourhood Planning across the District.
- Chapter 6: Duty to Cooperate; this section briefly outlines what the Duty to Cooperate is and signposts to further information on the Council's website.

3.4 The final chapter focusses on monitoring the policies within the East Herts District Plan 2018. It analyses the effectiveness of each of the District Plan policies using the indicators identified in **Appendix A** of each respective AMR. Analysis

takes place on a chapter-by-chapter basis broadly synonymous with the District Plan format.

Levelling-Up and Regeneration Act 2023 – Monitoring of Plans

- 3.5 The government has set out a requirement for a clearer, more focused approach to monitoring in the future, to ensure that planning authorities have a better understanding of how their plan is performing.
- 3.6 It is proposed that monitoring under the new planning system will have two distinct elements:
1. **A light touch annual return.** This will include progress against plan making activities, and as a minimum it will also report on a small number of nationally prescribed metrics to assess the implementation of key policies against the output of the plan. This will support a more streamlined approach to monitoring as authorities will know exactly what they need to report against as a minimum requirement.
 2. **A detailed return to inform updates to the plan.** Four years after adoption of a local plan, at the latest, planning authorities will be required to prepare a fuller analysis of how planning policies and designations are being implemented, and the extent to which the plan is meeting the overall vision for their area.
- 3.7 The Levelling-Up and Regeneration Act 2023 sets out that regulations on monitoring will be published in due course. It is anticipated that these will give clarity on the specific requirements and will also set the nationally prescribed metrics to monitor implementation of policies.

3.8 Once the regulations have been published the Council will need to review how future monitoring information is presented.

4.0 Options

4.1 The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) currently requires local planning authorities to prepare reports that set out the implementation of the Local Development Scheme (LDS) and the extent to which policies set out in the East Herts District Plan 2018 are being achieved.

5.0 Risks

5.1 Failure to publish Authority Monitoring Reports would mean that the Council is not meeting the requirements of the 2004 Act.

6.0 Implications/Consultations

6.1 None

Community Safety

No

Data Protection

No

Equalities

No

Environmental Sustainability

Environmental Sustainability is a key underpinning principle of the District Plan.

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

No

Specific Wards

All

7.0 Background papers, appendices, and other relevant material

- 7.1 **Appendix A:** Authority Monitoring Reports (AMR) 2020-2021
Appendix B: Authority Monitoring Report (AMR) 2021-2022
Appendix C: Authority Monitoring Report (AMR) 2022-2023

Contact Member

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