

WEST MIDLANDS PLANNING & TRANSPORTATION SUB-COMMITTEE

14 September 2012

Report of Duty to Cooperate Task Group

DUTY TO COOPERATE AND ADJOINING PLANNING AUTHORITIES

1. PURPOSE OF REPORT

- 1.1. To provide an update on the above.

2. RECOMMENDATIONS

That the report be received and noted.

3. BACKGROUND

- 3.1. At its meeting on 4 November 2011 P&TSC agreed:

That the officers be authorised to make representations to Warwick District Council in relation to the Warwick Development Plan and similarly with other neighbouring Authorities in respect of their Plans in order that the urban renaissance be not compromised.

- 3.2. At the meeting of West Midlands Joint Committee on 13 June 2012, the Strategic Policy Framework for the West Midlands Metropolitan Area, as previously agreed by P&TSC on Policy Statement, was endorsed and in terms of the Duty to Cooperate it was agreed that:

- 3.3. *The role of the WMP&TSC in taking forward this crucial area of work be supported*

- 3.4. At its meeting on 3 August P&TSC received a further report and agreed:

- *the guiding principles as the basis for managing the Duty to Cooperate*
- *the working arrangements for compliance with the Duty to Cooperate*
- *arrangements for initial engagement with Shire members*
- *that these arrangements are subjected to a review after 12 months of operation*

4. REPORT DETAILS

- 4.1. The attached schedule indicates what representations have been made on adjoining plans to date and will assist in subsequent discussions with adjoining Shire Districts. It is proposed that Shire District Member planning representatives are invited to a discussion with P&TSC at its next meeting on 9 November 2012 to discuss matters relating to cross boundary / Duty to Cooperate matters.

5. FINANCIAL IMPLICATIONS

- 5.1. A failure to comply with the statutory Duty to Cooperate will lead to difficulties in adopting plans with investment potentially being lost. If an up to date plan is not in place, local authorities will be vulnerable to planning by appeal and legal challenge, both of which will have adverse financial implications.

5.2. Strategic planning was led by Regional Assemblies prior to their abolition. Regional Assemblies had significant budgets for staff and to commission the preparation of evidence, this statutory responsibility now falls to local authorities via the Duty to Cooperate. [ES/06092012/Q]

6. **CONTACT**

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Local Authority	Plan status	Summary of responses made
Warwickshire		
North Warwickshire	Pre Submission Draft June 2011 (closing date 23/08/12)	P&TSC response on previous draft supported as in accordance with tested RSS2 housing requirements. Birmingham as P&TSC on previous draft. Birmingham response on pre submission draft drew attention new work establishing scale of Birmingham's demand and supported subject to recognition that further work required to address this in future.
Nuneaton & Bedworth		None.
Rugby	Plan Adopted	
Stratford upon Avon	Draft Core strategy Pre Regulation 19, Feb 2012	Solihull: Supported as housing growth requirement aligned with RSS levels and on Gypsy and Traveller provision
Warwick	Preferred Option (closing date for comments 3 rd August 2012)	Solihull: Noted that Warwick assumed scale of out migration from the conurbation has been reduced. However, places no reliance on Solihull to meet any of Warwick's assessed need and so supported. Coventry: Preferred option supported in general terms but suggested that two Green Belt sites near Coventry should remain undeveloped.
Worcestershire		
Bromsgrove	Draft Core Strategy 2, February 2011	P&TSC response broadly supportive as coincided with RSS2 Panel growth levels which were deemed to support urban renaissance. Any consideration of adjustment to Green belt boundaries should engage Metropolitan Authorities. Consistent with Birmingham response <i>Subsequent letters published on Bromsgrove and Redditch websites committing both to address cross boundary issues.</i>
South West Worcestershire	Significant proposed changes closing date 14/09/12	P&TSC response queried rationale for reducing housing requirement relative to projections / RSS and whether this would place additional pressures on the Metropolitan Area. Birmingham response raised similar points
Wyre Forest	Plan Adopted	
Staffordshire		
Cannock	Draft Local Plan 1. Closing date for submissions 17 th September 2012	

Lichfield	Proposed Submission, regulation 19. Closing date for representations 10th September 2012	
South Staffordshire	Public examination completed	<p>P&TSC response supporting approach at public examination as level and distribution of growth does not undermine urban renaissance strategy, particularly in Black Country.</p> <p>Wolverhampton / Black Country supported strategy and has sought engagements with Southern Staffordshire Districts to identify Regional Logistics Site.</p> <p>Wolverhampton subsequently responded to post examination changes to align with NPPF and was broadly supportive</p>
Tamworth	Pre Submission Publication June 2012, consultation closed 20th July 2012	No major concerns identified.
East Staffordshire	Preferred Options consultation document closing date 21st September 2012	
Telford and Wrekin	Plan adopted covering 2006 – 2016. Review to commence shortly.	
Shropshire	Plan adopted January 2011	