

Cheltenham Borough Council

Council – 25th March 2019

The Preparation of a Statement of Common Ground for Gloucestershire

Accountable member	Leader
Accountable officer	Director of Planning
Ward(s) affected	All
Key/Significant Decision	Yes/No
Executive summary	<p>This report sets out the progress made by the Gloucestershire Leaders Board in respect of the creation of a strategic planning framework for the County to 2050 and beyond. The report specifically recommends the preparation of a Statement of Common Ground (SoCG); a non-statutory document to be adopted by each of the constituent authorities and relevant partner organisations.</p> <p>Working in the context of a SoCG will help ensure effective, coordinated spatial planning for the long term future of Gloucestershire through collective working to prepare a strategic framework for the County to 2050 and beyond which will avoid duplication of effort, potential conflicts and deliver cost efficiencies through joint commissioning.</p>
Recommendation	<p>The Council works in partnership with the five other Local Planning Authorities, Gloucestershire County Council and the GFirst Local Enterprise Partnership to develop a Strategic Planning Framework for Gloucestershire, to 2050 and beyond, via the preparation of a ‘Statement of Common Ground’.</p>
Financial implications	<p>The Borough Council has committed to a financial contribution in the sum of £10,000 per annum towards the cost of the Strategic Planning Coordinator. This is to be funded within current budgets. Any additional budget requirements will be brought forward for consideration as they arise.</p> <p>Contact officer: Andrew Knott, Andrew.knott@publicagroup.uk, 01242 264121</p>

<p>Legal implications</p>	<p>Section 33A(1) of the Planning and Compulsory Purchase Act 2004 which is in respect of the duty to co-operate in relation to the planning of sustainable development provides that each person who is a local planning authority, county council and certain other bodies (such as the Environment Agency and Homes and Communities Agency) must co-operate with each other and local enterprise partnerships in maximising the effectiveness with which certain activities are undertaken. These activities are the preparation of local development plans (including development plan documents) and any activities that can reasonably be considered to prepare the way for/support for such activities so far as relating to a strategic matter.</p> <p>A strategic matter for the duty is sustainable development or use of land that has or would have a significant impact on at least two planning areas and sustainable development or use of land in a two-tier area if the development or use is a county matter or has or would have a significant impact on a county matter.</p> <p>Under sections 19(1B) to (1C) of the 2004 Act, each local planning authority must identify strategic priorities for development and use of land in the authority's area and policies to address those priorities must be set out in the local authority's development plan documents (taken as a whole).</p> <p>Paragraph 20 of the National Planning Policy Framework (2019) sets out the matters that strategic policies should provide for and under paragraph 27 it is stated that in order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency.</p> <p>When soundness of plans are tested under the NPPF (2019) one element of this under paragraph 35 is that the plan should be deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground. Therefore, although not a statutory document, statements of common ground dealing with these matters will be expected when plans are at examination. The formal approval of the Statement of Common Ground will remain the responsibility of each of the parties to it.</p> <p>Contact officer: cheryl.lester@tewkesbury.gov.uk, 01684 272013</p>
<p>HR implications (including learning and organisational development)</p>	<p>None at this time, however specialist officer resources will be required from across the district and county planning teams to develop the detail of a Gloucestershire Strategic Planning Framework. Consideration is currently being given to the human resource need arising and whether this can be accommodated from within existing planning teams or whether budgetary provision will be required. Should additional resourcing be required these will be considered by Leadership Gloucestershire and the individual councils.</p>

Key risks	Collaboration across all the six districts and county council is required to ensure effective, coordinated spatial planning for the long term future of Gloucestershire. To not engage in this work would risk Cheltenham not having an active contribution on issues which may have a direct implication for the Borough.
Corporate and community plan Implications	Joint working as set out in this report responds to the Councils Place Vision, taking a co-ordinated and collaborative approach to considering the long term growth needs of the County and its implications and opportunities for Cheltenham. By working through a SoCG we can enhance our collaboration with key partners in the delivery of the Corporate Plan.
Environmental and climate change implications	The SoCG will contain matters relating to the environmental, social and economic outputs of the area. In itself it will not be subject to the same requirements for a Sustainability Appraisal in the same way that a Statutory Planning Document does. A Sustainability Appraisal that encompasses a Strategic Environmental Assessment as required by EU Directive (2001/42/EC) will still be required to be produced for the local plan documents.
Property/Asset Implications	Not relevant at this time

1. Background

- 1.1** In summer 2018 the Gloucestershire Economic Growth Joint Committee (GEGJC) set up a Leaders' Board intended to review current joint planning arrangements and to consider the best mechanism to deliver strategic planning within the county. Comprising senior Members of each of the District Councils, the County Council, the GFirst Local Enterprise Partnership, and other bodies, the Leaders Board is supported by a Strategic Planning Coordinator for the County, funded jointly by all the districts and county council. The Borough Council is represented on the Gloucestershire Leaders Board by the Leader and Chief Executive.
- 1.2** The Leaders Board has discussed a more coordinated approach to long term spatial planning in Gloucestershire, taking account of the engagement drawn from the recent 2050 conversation. Such an approach could provide an agreed broad vision for the future growth of the County which would support development plan preparation, avoid duplication and potential conflict between plans and fulfil the duty to cooperate. This partnership approach could also better coordinate infrastructure requirements and associated funding whilst delivering potential savings through joint commissioning of development plan evidence bases.

2. Proposal for a Gloucestershire Statement of Common Ground

- 2.1** The Leaders Board has discussed the type of strategic plan that is appropriate for Gloucestershire, and has concluded that the most appropriate model would be through the preparation of a non-statutory Statement of Common Ground (SoCG). This would allow the statutory Local Planning Authorities to continue to deliver current and future spatial plans and policies, and retain local interpretation, whilst enabling them to work together to coordinate future strategic planning in the county and maximise resource efficiency.
- 2.2** The SoCG needs to support the ambition for Gloucestershire as developed through the Gloucestershire 2050 conversation. Work is ongoing regarding the future governance of Gloucestershire 2050 arising from the concordant identifying a number of growth boards, published via the following link <http://glos2050.com/>. The SoCG and its outcomes should look to support the work that in due course will flow from the Growth Boards.
- 2.3** This approach will also allow the Local Authorities to look beyond their plan periods and link into conversations regarding Gloucestershire 2050 to seek to meet aspirations for growth and infrastructure and link more effectively in a joined up manner with cross county boundary conversations. Furthermore, effective cooperation enables strategic policy-making authorities and infrastructure providers to establish whether additional strategic cross-boundary infrastructure is required. The statement would be evidence that the strategic policy-making authorities have sought agreement with the relevant bodies and, in relation to the Community Infrastructure Levy, it can form part of the evidence base for the Infrastructure Funding Statement.
- 2.4** The SoCG was established by the National Planning Policy Framework (2018). It would be required to be produced and agreed between the six local planning authorities, the County Council, the GFirst Local Enterprise Partnership and other key parties as appropriate. It would set out the agreed position in respect of cross boundary strategic planning issues, demonstrating that the 'Duty to Cooperate' has been fulfilled, but it can also be used to set out a long term agreed vision for the broad location of development within the county, having regard to influences from beyond our county boundaries.
- 2.5** The NPPF 2018 sets out the details expected to be covered within a SCG, which are as follows:
 - 1.** A spatial portrait and narrative of the geography of the area and the key strategic matters being addressed by the statement, for example meeting the housing need and economic growth for the area and key environmental issues such as flood protection, climate change impact reduction, air quality etc.;

2. Details of the plan-making authorities responsible for joint working detailed in the statement, along with any others engaged in the process and the associated governance arrangements for the cooperation process, including how the statement will be maintained;
3. The housing requirements in any adopted and (if known) emerging strategic policies relevant to housing within the area covered by the statement as well as a view of the future growth necessary;
4. An understanding of the distribution of housing and economic growth needs in the area as agreed through the plan-making process, or the process for agreeing the distribution of need (including unmet need) across the area;
5. A record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these; and
6. Any additional strategic matters to be addressed by the statement which have not already been addressed, including a brief description how the statement relates to any other statement of common ground covering all or part of the same area.

2.6 The detail and scope of the statement would be proportionate to the matters being addressed but would seek to tackle the key issues facing the County and the aspirations for strategic growth and infrastructure requirements.

2.7 In addition to the NPPF requirements, the SCG would:

1. Draw from existing and developing local plans and plan development processes to provide an agreed joined up picture of growth within Gloucestershire
2. Include the broad aspirations of partners for the promotion of growth within Gloucestershire
3. Provide an agreed approach between all agencies to allow cooperation in delivery of plans and infrastructure
4. Improve strategic planning coordination, cooperation and communication to avoid potential conflict between plans and partners ensuring Gloucestershire can speak with 'one voice', which is so important for Government dialogue and associated funding bids

3. Alternative options considered

3.1 The experience gained through the development of the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy clearly demonstrates that Cheltenham cannot plan in the context of its own borough boundaries, but must have due regard to its neighbours and the allocation of development that takes account of sustainability considerations, connectivity and the demands for infrastructure. The work undertaken as part of the Gloucestershire 2050 conversation reinforces this at a county scale and the need to work more collaboratively is now set out in government policy via the National Planning Policy Framework.

3.2 The Gloucestershire Councils could decide to not progress the preparation of the Statement of Common Ground. This course of action has been discussed and discounted by the Leaders' Board. Failure to maximise the opportunity created through the creation of an effective Strategic Planning Framework for Gloucestershire County would mean that opportunities for effective strategic development discussions are lost. The opportunity to save resources through joint commissioning of an effective evidence base may also be lost. Alternative options have therefore not been considered.

4. Consultation and feedback

- 4.1** Regard has been given to the engagement on the Gloucestershire 2050 conversation, including engagement with members.

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Appendices	1. Risk Assessment
Background information	None