

Birmingham Development Plan

DUTY TO CO-OPERATE STATEMENT UPDATE

September 2014

Appendices

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1. Introduction

1.1 This document updates the Duty to co-operate Statement which accompanied the Submission Birmingham Development Plan. It deals with activities and progress in the period from 1st July to 5th September 2014. The Update covers:

- Progress in relation to the Duty to Co-operate issues (see section 4 of the Duty to Co-operate Statement.)
- Progress in relation to Collaborative Working (see section 5 of the Duty to Co-operate Statement.)

1.2 Additional relevant documentation is contained in the appendices.

1.3. The Duty to Co-operate is continuous and a further update will be provided if necessary before the examination hearings.

2. Key Duty to Co-operate Issues

Accommodating the City's Housing Growth

2.1 The Greater Birmingham and Solihull LEP Supervisory Board received a report on stage 1 and 2 of the Strategic Housing Needs Study on 30th July. This report has already been submitted to the examination (EXAM2E). It provides details of the headline household projection numbers emerging from the Study. The report also confirmed the Brief for stage 3.

2.2 There was a presentation on the outcome of stages 1 and 2 to partner organisations on 31st July. The powerpoint presentation to this event has also been submitted to the examination (EXAM2F).

2.3 The full report on stages 1 and 2 is due to be considered by the Steering Group in mid-September and work on stage 3 is due to commence at the end of September.

3. The Supply of large Employment Sites

3.1 The results from Phase 1 of the study are expected in the near future.

4. Transportation Issues

4.1 Discussions on the transport implications of the BDP have continued. This has resulted in confirmation from the Highways Agency that they are generally supportive of the BDP proposals (letter attached as Appendix 1). Discussions with Warwickshire and Staffordshire are at an advanced stage and it is anticipated that all major issues will be resolved.

5. Waste Management and Minerals

5.1 Discussions with Warwickshire and Staffordshire are continuing in the light of the Waste Capacity Study Update.

6. City Council’s approach to other authorities’ Development Plans

6.1 There are no new developments.

7. Collaborative Working

Working with neighbouring authorities

7.1 The current position in relation to each of the relevant authorities is set out in the attached table which is updated from the table on pages 21 to 29 of the Duty to Co-operate Statement.

Colour coding:

	Agreement signed by each authority to the agreement
	Agreement signed by one party, waiting finalisation
	Discussions continuing
	Request for an agreement declined

Local Authority (listed alphabetically)	Meeting(s) held	Current Position
Bromsgrove	<ul style="list-style-type: none"> * Bi-lateral meetings held. * GBSLEP Planning Group and Spatial Planning Group. * Steering group meetings for the GBSLEP Strategic Housing Needs Study. * Meeting of Worcestershire Planning Officers Group. 	<p>Both Councils have acknowledged the high level of co-operation between the two authorities reflected by the jointly prepared cross-boundary Longbridge Area Action Plan and in respect of discussions on the respective development plans. Joint working is continuing on the technical evidence base and approach to the scale and distribution of long term growth under the GBSLEP.</p> <p>Bromsgrove has expressed concerns over the possibility of some of Birmingham’s housing requirement being satisfied outside the City boundary.</p> <p>The City Council requested that Bromsgrove include in their emerging District Plan a commitment to an early review in the event that it is concluded that provision to help meet</p>

		<p>Birmingham's needs should be made in Bromsgrove. Bromsgrove have responded positively to this submission (see paragraphs 1.14, 8.17, 8.21, 8.25 and Policy BDP4 – Green Belt of the Bromsgrove Submission Plan).</p> <p>Following a preliminary hearing, the Bromsgrove Plan inspector has accepted this approach in his Interim Conclusions (paragraph 6)</p>
Cannock Chase	<ul style="list-style-type: none"> * Bi-lateral meeting held . * GBSLEP Planning Group and Spatial Planning Group. * Steering group meetings for the GBSLEP Strategic Housing Needs Study. * The City Council attended the public examination into the Cannock Chase Local Plan No 1. 	<p>No representations made on the Birmingham Development Plan.</p> <p>Exchange of correspondence has led to an agreed approach to addressing the potential housing shortfall in Birmingham.</p> <p>This is reflected in the Cannock Chase Local Plan No.1 (para. 1.8) adopted on 11 June 2014.</p> <p>The City Council confirmed its support for the approach at the Examination into Cannock's Plan held in August 2013. This Plan has now been adopted. The area will be covered by the GBSLEP Housing Needs Study.</p> <p>A Duty to Co-operate agreement between the two authorities has been signed.</p>
Coventry	<ul style="list-style-type: none"> * Two bi-lateral discussions held as side meetings to Duty to Cooperate Task & Finish Group. * Meeting of CSWAPO * West Midlands Joint Committee & support arrangements including the Duty to Cooperate Group. * The City Council were 	<p>In early 2013 Birmingham City Council appeared at the preliminary hearings into the Coventry Development plan questioning its soundness on the grounds that the level of housing proposed fell well short of the level required to meet the 2008-based household projections.</p> <p>This Coventry Core Strategy has subsequently been withdrawn on the advice of the Inspector and a new Strategic Housing Market Assessment has been undertaken for Coventry and Warwickshire. There have been further discussions on the relationship between the new Coventry and Warwickshire SHMA and its interrelationship with the GBSLEP Strategic</p>

	<p>represented at the Inception meeting into the current Coventry and Warwickshire SHMA.</p> <p>* The City Council attended the public examination into the Coventry Core Strategy.</p> <p>* Coventry City Council is represented on the Steering Group for the Strategic Employment Sites Study.</p>	<p>Housing Needs Study.</p> <p>A Duty to Co-operate agreement between the two authorities is in preparation.</p>
Dudley	<p>* West Midlands Joint Committee & support arrangements including the Duty to Cooperate Group.</p> <p>* Two bilateral meetings have been held with the Black Country Districts specifically in relation to the Birmingham Development Plan.</p> <p>* The Black Country Districts are represented on the Steering Groups for both the GBSLEP Strategic Housing Needs Study and also on the Strategic Employment Sites Study.</p>	<p>The four Black Country Districts (i.e. Dudley, Sandwell, Walsall and Wolverhampton) have expressed a desire to work jointly with the City Council in relation to the Duty to Co-operate.</p> <p>Initial discussions with the Black Country Districts have focussed on seeking technical agreement on the potential surplus of housing capacity in the Black Country which could help meet Birmingham's needs. A figure of 3,100 was provisionally identified.</p> <p>Subsequently the Black Country authorities have agreed to co-operate with the GBSLEP Strategic Housing Needs Study by commissioning a complementary study working to the same brief and using the same consultant.</p> <p>A Duty to Co-operate agreement between the two authorities is in preparation.</p>
East Staffordshire	* Bi-lateral meetings	East Staffordshire is located some distance from Birmingham and East Staffordshire has not commented on the Birmingham

	<p>held.</p> <ul style="list-style-type: none"> * GBSLEP Planning Group and Spatial Planning Group. * Steering group meetings for the GBSLEP Strategic Housing Needs Study. 	<p>Development Plan.</p> <p>The potential future scale of growth and its relationship to the Birmingham shortfall will be dealt with by the LEP Strategic Spatial Framework. The area will be covered by the GBSLEP Housing Needs Study.</p>
Lichfield	<ul style="list-style-type: none"> * Bi-lateral meetings held * GBSLEP Planning Group and Spatial Planning Group * Steering group meetings for the GBSLEP Strategic Housing Needs Study * The City Council attended the Lichfield Local Plan Public Hearing. 	<p>Lichfield has raised concerns over the sustainability of Green Belt housing and employment development options in Birmingham and their potential impact on Lichfield. These issues have been addressed through additional evidence-based work.</p> <p>An exchange of correspondence has led to an agreed approach to addressing the potential housing shortfall in Birmingham through a reference in the Lichfield Local Plan.</p> <p>The City Council has confirmed its support for this approach at the Examination into the Lichfield Plan, and it will be dealt with via a Proposed Modification as set out in the Inspector's Initial Finding (para 3), 3rd September 2013.</p> <p>The area will be covered by the GBSLEP Housing Needs Study.</p> <p>A Duty to Co-operate agreement between the two authorities is in preparation.</p>
North Warwickshire	<ul style="list-style-type: none"> * Bi-lateral meetings held * The City Council attended the preliminary hearing into the North Warwickshire Core Strategy * Meeting of CSWAPO 	<p>North Warwickshire has pointed to the fact that their area has not previously been identified as a potential location for Birmingham 'overspill'.</p> <p>The City Council made representations on the North Warwickshire Pre-submission and revised Pre-submission Plan, seeking inclusion of a reference to Birmingham's housing shortfall and the need for further joint work to address the issues and outcomes to be reflected in the next review of the development plan. North Warwickshire Borough Council has accepted these points, and this is reflected in the Inspector's letter in response to the Preliminary and Exploratory Hearings</p>

		(10 th June, 2013 - Para 6). North Warwickshire has also agreed to co-operate with the GBSLEP Housing Needs Study.
Redditch	<ul style="list-style-type: none"> * Bi-lateral meetings held. * GBSLEP Planning Group and Spatial Planning Group. * Steering group meetings for the GBSLEP Strategic Housing Needs Study. 	<p>No representations made to date on the Birmingham Development Plan.</p> <p>There is a shortage of land within Redditch to meet housing needs arising within Redditch resulting in the allocation of sites on the edge of Redditch but across the administrative boundary with Bromsgrove. There is no realistic potential for housing to help meet Birmingham's needs in the Redditch Local Plan. An exchange of correspondence has led to an agreed wording on this issue for inclusion in the Redditch Local Plan No 4 which includes a commitment for full participation in joint working through the GBSLEP.</p> <p>Further discussions will take place in the context of Bromsgrove's Submission Plan which is currently under examination with the preliminary hearings held on 16-17 June 2014.</p>
Sandwell	See Dudley entry above	See Dudley entry above.
Solihull	<ul style="list-style-type: none"> * Bi-lateral meetings held * West Midlands Joint Committee & support arrangements including the Duty to Cooperate Group * GBSLEP Planning Group and Spatial Planning Group * The City Council attended the reopened 	<p>Solihull has raised issues over the implications of Birmingham being unable to meet its full housing requirement within the City boundary and have advocated that this issue should be addressed through the GBSLEP.</p> <p>A form of words has been agreed for inclusion in the current Solihull Local Plan to deal with this issue and the City Council has expressed its support for this to the Examination. The agreed form of words (para 8.4.5) remains in the plan following the recent High Court Judgement.</p>

	<p>public examination into the Main Modifications stage of the Solihull Local Plan</p> <p>* Steering group meetings for the GBSLEP Strategic Housing Needs Study</p>	<p>Solihull MBC is the lead authority in relation to procurement of the GBSLEP Strategic Housing Needs Study.</p> <p>A Duty to Co-operate agreement between the two authorities is in preparation.</p>
<p>South Staffordshire</p>	<p>* Bi-lateral meeting held.</p> <p>* South Staffordshire District Council is represented on the Steering Group for the Strategic Employment Sites Study.</p>	<p>South Staffordshire District Council was not originally identified by the City Council as one of the authorities likely to be directly affected by the emerging housing shortfall. South Staffordshire District Council requested that the City Council complete a Duty to Co-operate proforma in relation to its local plan and the effect of this prompted a meeting between the two authorities. Since the work on the Strategic Housing Needs Study has progressed and, with its extension to cover the Black Country, the discussions between the two authorities proved timely.</p> <p>South Staffordshire District Council is also closely involved in the Strategic Employment Sites Study, not least acting in the role as procuring authority.</p> <p>A Duty to Co-operate agreement between the two authorities is in preparation.</p>
<p>South Worcestershire</p>	<p>* Bi-lateral meeting held</p> <p>* Meeting of Worcestershire Planning Officers Group</p> <p>* The City Council attended the stage 1 of the public examination into the South Worcestershire Development Plan</p>	<p>The City Council did not initially identify South Worcestershire as a location which would be appropriate for significant housing provision to meet Birmingham's requirements. At the initial opening hearings of the public examination the City Council supported the level of housing provision proposed although the City Council had, however, raised issues over the apparent imbalance between the levels of housing and employment land proposed for South Worcestershire and more specifically the detailed wording in relation the proposed Worcester Technology Park.</p> <p>The Inspector did not share the City Council's views and has requested following reopened hearing sessions that the level of housing provision should be raised significantly to reflect the jobs-led approach in the plan. As a consequence the level of housing provision appears to be set at a level significantly above demographic need relying on in-migration or in-</p>

		<p>commuting to fill the increasing employment levels. At the reopened hearing the City Council responded by suggesting that the consequence was that at least some of the increasing level of housing provision might help contribute to meeting the emerging housing shortfall in the conurbation, possibly through the rippling effects of migration. This is an opportunity that can be further investigated as part of the ongoing work on the GBSLEP Strategic Housing Needs Study.</p> <p>A Duty to Co-operate agreement between the two authorities is in preparation.</p>
Staffordshire	<ul style="list-style-type: none"> * Bi-lateral meetings held 17/09/13 and 04/03/14. * GBSLEP Planning Group and Spatial Planning Group * Both authorities members of Regional Planning Officers Group 	<p>Minerals, waste and infrastructure issues have been raised.</p> <p>The infrastructure issues relate primarily to transportation. Ongoing discussions are taking place in relation to this and the main issues have been resolved.</p> <p>The City Council believes that the Pre-submission Birmingham Development Plan addresses the minerals and waste issues. A further meeting on the Duty to Co-operate was held with Staffordshire County Council to discuss these matters and to attempt to reach a compromise position but this could not be achieved. However there are ongoing discussions to clarify the extent of the differences between the Councils.</p>
Stratford-upon-Avon	<ul style="list-style-type: none"> * Bi-lateral meetings held. * Meeting of CSWAPO. 	<p>Stratford upon Avon District Council was not originally identified by the City Council as one of the authorities likely to be directly affected by the emerging housing shortfall. As work on the GBSLEP Strategic Housing Needs Study has progressed it has become clear that parts of Stratford District could be affected depending on the distribution of future growth and the potential impact from the rippling of migration.</p> <p>There have been helpful discussions on this possibility and an agreement that collaborative working should continue to take</p>

		place. The Proposed Submission Local Plan (June 2014) notes the overlap of the Coventry / Warwickshire and Birmingham Housing Market Areas and commits to future working if necessary (para 1.38).
Tamworth	<ul style="list-style-type: none"> * Bi-lateral meetings held. * GBSLEP Planning Group and Spatial Planning Group. * Steering group meetings for the GBSLEP Strategic Housing Needs Study. 	<p>Tamworth had raised concerns over Green Belt development in Birmingham in terms of its scale and potential impact on infrastructure in Staffordshire. These issues have been addressed through additional evidence-based work and ongoing discussions with Staffordshire in relation to transportation.</p> <p>Tamworth's boundaries are drawn tightly and it has difficulty meeting its own housing needs so it is unlikely that it will be in a position to raise the level of growth to help address the Birmingham shortfall.</p> <p>A position statement was provided to the Tamworth Local Plan at the Examination Inspector's Request – but the Plan has subsequently been withdrawn. The Council published a further Draft Local Plan (March 2014), and the City Council responding requesting continued joint working via the GBSLEP.</p> <p>The area will be covered by the GBSLEP Housing Needs Study.</p>
Telford & Wrekin	<ul style="list-style-type: none"> * Bi-lateral meetings held. * Joint meetings with other Metropolitan Districts through the Duty to Co-operate Group. * Telford and Wrekin Council is represented on the Steering Group for the Strategic Employment Sites Study. 	<p>There have been a number of discussions held between the City Council and Telford and Wrekin Council which revolve around the situation where there is a housing shortfall in Birmingham whereas the opposite situation potentially exists in Telford. This is not surprising given the position of Telford as a former New Town and Regional Growth Point under the now revoked Regional Spatial Strategy. While direct migration from Birmingham to Telford has historically been quite low the discussions have focussed how the opportunity might be grasped, working with the Black Country through the Strategic Housing Needs Study, to harness the potential surplus capacity through a rippling of migration movements.</p>

Walsall	See Dudley entry above.	See Dudley entry above.
Warwick	<ul style="list-style-type: none"> * Bi-lateral meeting held. * Meeting of CSWAPO 	<p>Officers from both the City Council and Warwick District Council have met to consider if there was a need for more extensive discussions under the Duty to Co-operate. Given the relatively low level of direct migration between the two Districts, and in the context of a significant potential shortfall of housing in Coventry there was an agreement not to pursue a Duty to Co-operate Agreement at this stage.</p> <p>Liaison between the authorities continues through discussions on the GBSLEP Strategic Housing Study and the relationship this work has to the Coventry & Warwickshire SHMA.</p>
Warwickshire	<ul style="list-style-type: none"> * Bi-lateral meetings held * Meeting of CSWAPO * Both authorities members of Regional Planning Officers Group 	<p>Minerals, waste and infrastructure issues have been raised.</p> <p>The infrastructure issues relate primarily to transportation. Ongoing discussions are taking place in relation to this and the main issues have been resolved. See letter in appendix from County Council confirming City Council has satisfied Duty to Co-operate in relation to transportation.</p> <p>The City Council believes that the Pre-submission Birmingham Development Plan addresses the minerals and waste issues, and further technical work has been undertaken in this respect.</p> <p>A Duty to Co-operate agreement between the two authorities is in preparation.</p>
Wolverhampton	See Dudley entry above	See Dudley entry above.
Worcestershire	<ul style="list-style-type: none"> * Bi-lateral meeting held * GBSLEP Spatial Planning Group 	<p>No Issues identified.</p> <p>The two Councils are working closely together on the SA for the GBSLEP Spatial Plan for Recovery and Growth and on the</p>

	<p>* Both authorities members of Regional Planning Officers Group</p> <p>* Worcestershire County Council is represented on the Steering Group for the Strategic Employment Sites Study.</p>	<p>Strategic Employment Sites Study.</p> <p>A Duty to Co-operate agreement between the two authorities is in preparation.</p>
Wyre Forest	<p>* Bi-lateral meetings held 4 October 2012</p> <p>* GBSLEP Planning Group and Spatial Planning Group</p> <p>* Steering group meetings for the GBSLEP Strategic Housing Needs Study</p>	<p>No substantive issues raised by Wyre Forest.</p> <p>The area will be covered by the GBSLEP Strategic Housing Needs Study.</p> <p>Since Wyre Forest has an adopted plan it is recognised that any review of that plan will deal with the outcome of this Study.</p>

Collaborative working across Local authority boundaries

- 7.2 The minutes of working group meetings held since submission are included in the appendices.

Working with other prescribed bodies

- 7.3 The position is substantially unchanged from that summarised on pages 32 – 35 of the Duty to Co-operate Statement.
- 7.4 However, formal agreement has now been reached with the Highways Agency and work has been undertaken with the Birmingham Cross-city CCG to identify health infrastructure requirements arising from the Langley Sustainable Urban Extension proposal. Discussions on detailed issues are also continuing with Centro and the Environment Agency.

Appendix 1: Letter from Highways Agency



Safe roads, reliable journeys, informed travellers

Phil Edwards
Birmingham City Council
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via Email

Matthew Taylor
Asset Manager
Birmingham Motorway Box
The Cube
199 Wharfside Street
Birmingham B1 1RN

Direct Line: 0121 687 2550

29 August 2014

Dear Phil

THE BIRMINGHAM DEVELOPMENT PLAN: EXAMINATION IN PUBLIC

The Agency is responsible for the operation and maintenance of the Strategic Road Network (SRN) in England, which includes all motorways and major trunk roads. The SRN in the vicinity of Birmingham comprises sections of the M5, M6, and M42 Motorways.

The Highways Agency recognises the importance of a long-term and stable Development Plan for Birmingham as an essential framework for the sustainable economic growth of the City and surrounding region. As such, the Agency is aware of the importance of the forthcoming Examination-in-Public of the submitted Birmingham Development Plan.

The Agency makes the following comments to inform the Inspector's consideration of the submitted Plan.

Duty to Co-operate

The Agency has engaged with the City Council officers responsible for developing the Plan and the supporting transport evidence for the previous 18 months. The Agency responded to the Pre-Submission Version of the Birmingham Development Plan consultation in February 2014 and has continued to meet on a regular basis with City Council officers pre- and post- submission of the Plan. Collaborative working between City Council officers and the Agency has led to the commissioning of a number of pieces of technical assessment to support the Plans evidence base.

On the basis of the above observations we consider that the Council has satisfied the Duty to Cooperate in respect of the Agency.

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Transport Evidence

1. Green Belt Land Allocation.

In conjunction with the City Council and the neighbouring transport authorities of Warwickshire and Staffordshire the Agency commissioned in March 2014 a detailed assessment of the impact of the proposed Green Belt sustainable urban extension allocations north-east of Sutton Coldfield. This assessment was designed to test the implications of the proposed site allocations on the operation of M42 Junction 9. A mutually agreed 'Paramics' traffic model identified the need for interventions to be made at M42 Junction 9 and on surrounding roads to mitigate the traffic impact of the proposed allocations. This mitigation scheme has been included in the draft Infrastructure Delivery Plan.

The operation of M6 Junction 5 in respect of the Green Belt site allocations was raised by the Agency as a potential issue. The delivery by the City Council of the 'Chester Road Enhancement Scheme' provides the Agency with sufficient comfort that M6 Junction 5 will continue to operate satisfactorily with the Plan's proposed level of growth.

As such, the Agency is content that the SRN traffic impacts from the Green Belt site allocations north-east of Sutton Coldfield are acceptable when accompanied by the identified mitigation measures.

2. Motorway 'Box' SRN Junctions.

The Agency has reviewed the transport analysis reports prepared by Mott Macdonald. Our view is that the evidence presented in the Phase 3 and 4 reports which detail the traffic impacts of the proposed land allocations in the submitted Development Plan provides sufficient information for the impacts for the SRN to be assessed.

The Agency considers the following in respect of the Plan and the SRN Junctions in the vicinity of Birmingham:

M6 junctions 4a to 8: The Plan evidence makes adequate consideration of these Junctions. As noted above, M6 Junction 5 is particularly relevant to the proposed Green Belt site allocations north-east of Sutton Coldfield. The Agency is satisfied that M6 Junction 5 can continue to function effectively throughout the Plan period with the completion of the City Council's committed Chester Road Improvement Scheme. The Agency has recently completed the M6 Junctions 5 to 8 Smart Motorway project to increase capacity on this key section of motorway; this has been considered in assessment of the Plan.

M5 Junctions 1 to 4: The Plan has some impacts at these Junctions. The Agency has committed improvement schemes at M5 Junctions 2 and 4; the Junction 4 scheme is based on the principles of the Longbridge AAP mitigation proposals. The Agency is continuing to engage with surrounding Authorities regarding wider improvements at M5



Junction 1 and 2. The Agency is content that the scheme's currently planned mitigate the impact of the Plan on this section of the SRN.

M42 Junctions 1 to 3: The Plan has minimal impacts at these Junctions, as such the Agency is content that no mitigation proposals are required for the Plan to be deliverable.

M42 Junctions 4 and 5: The Plan has minimal impacts at these Junctions, as such the Agency is content that no mitigation proposals are required for the Plan to be deliverable.

M42 Junction 6: The Plan has impacts at this junction. Given the regional significance of the area surrounding junction and role of the M42 as a national corridor the Agency is currently conducting an analysis of the long term operation of this junction on behalf of the Secretary of State for Transport. As the planned growth and wider traffic growth will be factors in this assessment the Agency is content that a mechanism exists for dealing with traffic impacts that this junction.

Summary

The Agency is generally supportive of the Plan's intention to seek economic growth and social renewal in Birmingham.

The Agency is content that the City Council has satisfied the 'Duty to Cooperate' test insofar as it applies to the Agency.

The Agency has reviewed the transport evidence presented by the City Council in respect of SRN Junctions in the vicinity of Birmingham. It considers that the evidence is sufficient to allow an informed view on the preparation of the Plan to be made and that that the evidence presented and the supporting Infrastructure Delivery Plan identifies appropriate and necessary mitigation for the Plan's transport impacts. The Agency has set out above its views on specific SRN Junctions.

On the basis of the above comments the Agency will stand available to assist the Inspector in his examination of the Plan.

Please feel free to contact me on the details above if you wish to discuss this response in more detail.

Yours sincerely



Matthew Taylor
NDD Midlands
Email: matthew.taylor@highways.gsi.gov.uk

CC: Catherine Townend, HA

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Appendix 2: Letter from Warwickshire County Council



Communities Group

Phil Edwards
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15th September 2014

Dear Phil

Birmingham Development Plan – Examination in Public

The County of Warwickshire adjoins the administrative area of Birmingham City in the vicinity of Minworth and Sutton Coldfield. As such, Warwickshire County Council as local highway and transport authority has a keen interest in ensuring that the impacts of proposed housing and employment growth at Langley and Peddimore are understood and that suitable mitigation is identified in the Birmingham Development Plan Infrastructure Delivery Plan (IDP).

The County Council recognises the importance of the Birmingham Development Plan to the sustainable and managed growth of the city over the next 15-20 years. The growth plans of the adjoining areas of Staffordshire, Warwickshire and Solihull are also significant, and need to be considered to understand the cumulative impacts on the transport network. The County Council is also mindful of the potential additional impacts which could arise in this area in the future as a result of HS2 and expansion of facilities such as Birmingham International Airport and the National Exhibition Centre.

The County Council has the following comments to make on transport to inform the Inspector's consideration of the submitted plan:

Duty to Co-operate

The County Council has been actively engaged in the consideration of the transport impacts of the Birmingham Development Plan for the last 12-18 months. Officers have attended a series of technical meetings to discuss transport issues and commission work accordingly to explore these issues in more detail. The County Council's views have been taken into

*Working for
Warwickshire*

consideration and reflected accordingly in this work, which now forms part of the evidence base in support of the Plan.

The County Council is therefore satisfied that the City Council has satisfied its Duty to Cooperate in respect of the transport aspects of the Plan.

Transport Evidence

In parallel with the City Council's own work to prepare a transport evidence base, the Highways Agency commissioned a joint piece of work in March 2014 with the City Council, Warwickshire County Council and Staffordshire County Council to consider the impacts of the allocated housing and employment development at Langleigh and Peddimore on the operation of M42 Junction 9 (Dunton) and the surrounding local road network. An S-Paramics traffic model of the area was prepared to support this assessment which was agreed by all parties. The work which was subsequently undertaken highlighted a number of improvements on Warwickshire's network which will need to come forward in order to mitigate the strategic implications of growth. These measures have been reflected accordingly within the draft Infrastructure Delivery Plan. The County Council is therefore satisfied that the strategic transport implications of the Birmingham Development Plan are acceptable when accompanied by the delivery of these mitigation measures on both the motorway and local road network.

That said, the County Council would strongly request that an officer group continue to meet in order to ensure that, as detailed planning applications come forward for these developments, the necessary strategic and other localised mitigation measures (which will inevitably arise through more detailed modelling as part of the Transport Assessment (TA) process) are identified and implemented accordingly.

The County Council is aware that a further piece of work is in the process of being undertaken by the City Council to consider the role of adjoining Authorities (including North Warwickshire Borough and Stratford-on-Avon District) to help meet its housing needs. We would like to request that as this work progresses there is further involvement from the affected local highway authorities and the Highways Agency to consider the transport implications of any emerging proposals and ensure that appropriate mitigation measures are identified to allow growth in these areas to come forward in a sustainable manner.

It is hoped that this submission provides the Inspector with sufficient comfort regarding the County Council's position in respect of the transport implications of the Birmingham Development Plan and the City Council's Duty to Co-operate in this respect. If further clarification is required then please don't hesitate to get in touch with me.

Yours sincerely

Adrian Hart

Team Leader – Transport Planning


cc. Matthew Taylor – Highways Agency

cc. Lisa Maric – Highways Agency

cc. Nick Dawson – Staffordshire County Council

cc. Dorothy Barratt – North Warwickshire Borough Council

Appendix 3: City Council response to North Warwickshire Core Strategy Main Modifications

 <p>North Warwickshire Borough Council</p>	<p style="text-align: center;">Core Strategy</p> <p style="text-align: center;">Main Modifications Representation Form</p>	<p>Ref:</p> <p>(for official use)</p>
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Please return to North Warwickshire Borough Council by **21st August 2014**

PLEASE USE THIS FORM TO RESPOND TO THE MAIN MODIFICATIONS ON THE CORE STRATEGY ONLY

The Council are seeking comments on the Modifications to the Core Strategy, following the Examination in Public (January 2014). The changes are proposed by the Inspector to address issues of legal compliance and soundness and we are only able to accept representation on these matters.

Please send us your comments no later than 5:00pm by the **21st August 2014** to the following address: Forward Planning Team, Chief Executives Division, Council Offices, South Street, Atherstone, Warwickshire, CV9 1DE or email planningpolicy@northwarks.gov.uk

Any representation received will be a public document, all details of which will be stored on a database, and made available for inspection at the council's offices and on the council's website

Please provide your details below.

(If you are an agent please provide both your details as well as your clients.)

Name: Waheed Nazir

Organisation (if applicable): Birmingham City Council

Address: Planning and Regeneration

P O Box 28

Birmingham B1 1TU

Email: waheed.nazir@birmingham.gov.uk

Q1. Please give the Main Modification reference number that your representation relates to **(use a separate sheet for each representation and each modification)**

Modification Reference

Q2. Do you consider the Main Modifications to be Legally Compliant?

YES NO

Q3. If you consider the Proposed Main Modifications to be Unsound, please identify which test of soundness your comments relate to?

Positively prepared Effective

Justified Consistent with National Policy

- Q4. Please give details of why you consider the Main Modifications not to be legally compliant or unsound. Please be as precise as possible. If you wish to support Modifications please also use the box below to set out your comments.

Birmingham City Council wishes to express its support for Main Modification MM4 on the grounds that this responds to the representations made on the Pre-Submission version of the Core Strategy and the proposed modification is consistent with the ongoing Strategic Housing Needs Study covering Birmingham's wider housing market area.

- Q5 Please set out what change(s) you consider necessary to make the Main Modifications legally compliant or sound, having regard to the test you have identified above. You will need to say why this change will make the Main Modifications legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible

No further changes necessary at this stage.

Appendix 4: Cannock Duty to Co-operate Agreement

BIRMINGHAM DEVELOPMENT PLAN
Duty to Co-operate

Local Planning Authorities and other bodies party to this agreement/ understanding:
A. Birmingham City Council (BCC) B. Cannock Chase District Council (CCC)

Development Plan Document(s) covered by this agreement / understanding:
Birmingham Development Plan

Stage in the process forming part of this agreement:
Pre-Submission* *NB: In the event of any changes to the plan prior to submission and/or as part of modifications proposed during the Examination process then updated versions of this document may be prepared.

Checklist criteria NB: this is a starting point, list to be mutually agreed between the parties to this agreement. Checklist discussed and agreed: Yes	Summary status E.g.: Full or partial agreement,/ Shared understanding on area(s) of disagreement, or/ Not applicable Delete as appropriate	1. Summary of the approach in the plan 2. Summary of agreed position and any outstanding concerns or other comments NB: Refer to attachments and appendices if required
a) Overall approach incl. relationship to urban and rural renaissance	Agreed	<p>1. The vision, strategic objectives and approach set out in the BDP envisages that by 2031 Birmingham will be renowned as an enterprising, innovative and green city that has delivered sustainable growth meeting the needs of its population and strengthening its global competitiveness.</p> <p>Following around half a century of decline in the latter half of the C20 the city's population is expected to grow rapidly extending and building on the success of the strategy for urban renaissance that has been the hallmark of planning in the city since the 1980's.</p> <p>2. Following abolition of the Regional Spatial Strategy the City Council has worked and continues to work with adjoining authorities in the GBSLEP and West Midlands Metropolitan Area and beyond not only to ensure the continuing success of urban</p>

		renaissance but also, through the GBSLEP Strategic Spatial framework Plan, the Strategic Policy Framework for the West Midlands Metropolitan Area and local plans, to ensure that there remains an appropriate balance between growth and development to meet needs in both urban and rural areas. There are no outstanding issues in relation to the strategy set out in the BDP between the parties signatory to this document.
b) Estimation of housing requirements and the level and distribution of housing provision	Shared Understanding	<p>1. The Birmingham SHMA which underpins the BDP estimates a housing requirement of c80,000 net new dwellings in the period up to 2031. The 2012 SHLAA's best estimate of likely capacity without incursion into Green Belt (except at the site of the former Yardley Sewage Works) and including an allowance for c700 on land at Longbridge within Bromsgrove District is c45,000 dwellings, including allowance for windfalls. The Pre-submission version of the BDP proposes that 51,100 net new dwellings - should be provided including the removal of land from the Green Belt to increase capacity within Birmingham leaving a balance to be found outside the city's boundary of c29,000 dwellings.</p> <p>2. The major issues concern the scale of the housing requirement, the extent to which capacity exists or can be identified within Birmingham's boundary and then the scale and distribution of any resultant shortfall. The BDP sets out Birmingham City Council's position in respect of these matters and it is envisaged by the parties signatory to this document that the satisfactory resolution of these issues will be achieved through (1) completion of the GBSLEP Strategic Housing Needs Study (2) Distribution of the overall housing need and any resultant 'overspill' housing through the Second Iteration of the GBSLEP Strategic Spatial Framework Plan (the role of which is to provide an evidence base for statutory plans) and through arrangements negotiated with other authorities beyond the GBSLEP as justified by the evidence and (3) Subsequent accommodation of the 'overspill' growth in the review of Local Plans in and beyond the GBS LEP . This approach is accepted by the parties signatory to this document.</p>
c) Appropriate	Shared	1. The Birmingham SHMA and South East

provision made for migration	Understanding	<p>Staffordshire Housing Needs Study and SHMA both take account of migration in establishing the overall housing requirement and are respectively taken into account as part of the evidence base for the authorities' Local Plans. .</p> <p>2. The identification of a housing shortfall or 'overspill' requirement refers to potential additional housing over and above that included in population and household projections that is needed outside Birmingham's boundary in order that housing needs can be met. The process for resolution of this matter is as set out in b)2 above. This approach is accepted by the parties signatory to this document.</p>
d) Level and distribution of employment land provision	Shared Understanding	<p>1. The BDP identifies a serious emerging shortfall of land to accommodate future employment growth and investment. The plan addresses this issue by protecting the city's core employment areas from competing uses so they offer a continuing supply of recycled land supplemented by the release of a major new employment site (80ha) at Peddimore. Proposals for six economic zones are primarily focussed within the existing employment areas and include two Regional Investment Sites. The possible longer-term need for further strategic employment sites is to be addressed by the GBSLEP Spatial Plan for Recovery and Growth and associated technical work with adjoining LEPs. This work is entitled "The Review into the West Midlands-wide need and provision of very large employment development opportunities".</p> <p>2. This approach is accepted by the parties signatory to this document.</p>
W3e) Hierarchy of centres and the level and distribution of retail provision	Agreed	<p>1. The BDP defines a retail hierarchy of centres in Birmingham. The approach in the BDP is to make provision for a net increase of 270,000 m² in comparison retail floorspace concentrated in the City Centre, Sutton Coldfield town centre and three District Growth Points. Growth elsewhere will be small scale.</p> <p>2. This approach is accepted by the parties signatory to this document.</p>

<p>f) Level and distribution of office provision</p>	<p>Agreed</p>	<p>1. The approach in the BDP is to encourage 745,000 m² gross of new office development in the network of centres primarily focussed in the city centre including a substantial proportion of the new office floorspace expected to be provided within the Enterprise Zone.</p> <p>2. This approach is accepted by the parties signatory to this document.</p>
<p>g) Appropriate provision made for public and private transport including Park & Ride and commuting patterns</p>	<p>Shared Understanding</p>	<p>1. The BDP incorporates a range of transport polices and proposals across all modes. These are consistent with the extant Local Transport Plan and emerging Birmingham Mobility Action Plan (BMAP). There are proposals to improve networks both within and beyond the boundary which will impact, for example, on modal choice for commuters. Major development proposals close to the city boundary have impacts that can extend across the administrative boundary. Close cross-boundary co-operation on transportation matters continues through both West Midlands Shadow ITA and the associated Local Transport Boards (LTB).</p> <p>2. Subject to resolution of points b, c and d above there is no desire to increase the levels of in-commuting across the city boundary so there is an expectation that there will be a broad balance between the levels of housing and employment growth taking place in areas beyond the city boundary which is a matter to be addressed in the relevant local plans. This approach is accepted by the parties signatory to this document.</p> <p>3. Both BCC and CCC support HS2 and the Chase Line Linespeed upgrade. CCC's support for HS2 is conditional on improved connectivity with Birmingham including more and faster services.</p>
<p>h) Consistency of planning policy and proposals across common boundaries such as transport links and green infrastructure</p>	<p>Shared Understanding</p>	<p>1. Both BCC and CCC are members of the Cannock Chase Special Area of Conservation (SAC) Partnership and work together to ensure adverse effects of new development on Cannock Chase SAC are either avoided or adequately mitigated.* (*BCC continues to be a member of the Cannock Chase SAC partnership, albeit a "sleeping" one for the past year or so. Assessment of visitor survey data from 2011</p>

		<p>by Footprint Ecology (final reports published Feb 2013) concluded that mitigation to address adverse impacts associated with increased visitor numbers arising from new housing development around the SAC would be required for new development within a 15km radius of the SAC. Reducing the "Zone of Influence" from 19km to 15km has removed the northern part of Sutton Coldfield from the Zol, so none of Birmingham is located within the zone where developer contributions would be required to support funding for mitigation measures. As a result, BCC has not actively engaged with the SAC Partnership for at least a year, although BCC continues to be on the circulation list.)</p> <p>2. Both BCC and CCC support ongoing project work aimed at restoring heathland areas between Cannock Chase and Sutton Park.</p>
i) Green Belt matters	Shared Understanding	<p>1. Significant changes to the Green Belt are proposed in association with major development proposals at Langley and Peddimore to the north-east of Birmingham and at the site of the former Yardley sewage works. The changes to the Green Belt boundary have been made in such a way as to identify new boundaries that will endure in the long-term and allow for development to be accommodated that will not undermine the essential purposes or integrity of the wider West Midlands Green Belt. The City Council acknowledge that additional land which is currently designated as Green Belt in adjoining areas may need to be identified for development – as a consequence of the process to determine the level and distribution of future growth set out under b)2 above - but the responsibility for those proposals, should they arise, will lie with the respective local planning authority (working collaboratively with other relevant authorities) to be determined through a review of the relevant local plan(s).</p> <p>2. This approach is accepted by the parties signatory to this document.</p>
j) Minerals, waste and water resources including flooding	Shared Understanding	<p>1. As a major city Birmingham is reliant on minerals predominantly produced in adjoining shire areas to help facilitate its growth and development. The City Council recognises that it can reduce the demand for</p>

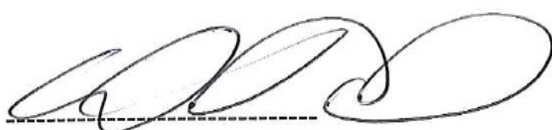
		<p>mineral extraction through effective recycling and reuse of building materials and aggregates. Similarly the City Council recognises that its 'footprint' can be reduced through self-sufficiency and vigorous adoption of the waste hierarchy. The City Council is an active member of both the West Midlands Aggregates Working Party (AWP) and the Regional Technical Advisory Body (RTAB) covering waste. Both groupings help ensure discharge of the DtC. In respect of water resources and flooding the City Council is fully aware of its responsibilities and will vigorously pursue the principles of sustainable drainage to reduce the risks of flooding both within the city and beyond its boundaries.</p> <p>2. This approach is accepted by the parties signatory to this document.</p>
k) Air quality matters	Shared Understanding	<p>1. The City Council is committed to the improvement of air quality for its residents and those in surrounding areas. It is, and will remain an active participant in initiatives to address these matters jointly with adjoining authorities and other agencies subject to the nature of actions being consistent with the city's aspirations for growth. Detailed policies on air quality and noise matters will be set out in a separate Development Management DPD.</p> <p>2. This approach is accepted by the parties signatory to this document.</p>
l) Any other matters that might reasonably be identified under the Duty to Co-operate	Agreed/ Shared Understanding/ Not Applicable	<p>1. No other matters identified.</p> <p>2.</p>

Log of meetings, reports and other records to substantiate the collaborative working:

	Details:
Meetings	Meetings on the Birmingham Development Plan held on 04/12/12 and 24/02/14.
Groups	Regular meetings:

	<p>(1) GBSLEP Planning Sub-Group (2) GBSLEP Spatial Planning Group (3) Development Management Group (4) West Midlands Planning Officers Group – Staffordshire LPAs connect to the group through the Staffordshire Planning Officers Group</p>
Responses to consultation and correspondence	<p>24/02/14 – Action note from meeting to discuss the Birmingham Development Plan 30/08/13 – Examination of the Cannock Chase Local Plan Birmingham City Council – Hearing Statement 29/07/13 – BCC letter to CCC on Birmingham’s Future Growth Requirements 22/03/13 – BCC response to the Cannock Chase Local Plan (Part 1) Proposed Submission 2013 07/12/12 – BCC letter to CCC on Birmingham’s Future Growth Requirements and the Cannock Chase Local Plan (No 1) 04/12/12 – Note of meeting held under the Duty to Co-operate 06/11/12 – BCC letter to LDC confirming Cabinet Member approval of the earlier officer response on the emerging local plan. 26/10/12 - Report of: Director of Planning and Regeneration to the Strategic Director of Development and Culture in Consultation with Cabinet Member for Development, Jobs And Skills - Emerging Development Plans in areas around Birmingham: Consultation with Neighbouring Authorities 17/09/12 - BCC response to Public Consultation 2012 - Draft (Part 1) Cannock Chase Local Plan 08/08/12 – BCC letter to CCC on Birmingham’s Future Growth requirements 13/10/08 – CCC online response to Birmingham Core Strategy issues and Options Consultation</p>
Additional points	

We, the undersigned, agree that the above statements and information truly represent the joint working that has and will continue to take place under the ‘Duty to Co-operate’.



Waheed Nazir
Director of Planning & Regeneration
Birmingham City Council*

Date: 8/8/14



Cannock Chase Council*

Date: 25 7 14

* Must be signed by either Council Leader or responsible Cabinet Member or responsible Chief Executive or Chief Officer only. For non-local authority organisations signatory should be at equivalent level.

Appendix 5: West Midlands Duty to Co-operate Group Note of meeting 31 March, 2nd June and 7th July

West Midlands Duty to Cooperate Group		
Notes of Meeting: 31st March @14:00, Room 209 , One Lancaster Circus		
In attendance: <i>Dave Carter (Birmingham - Chair), Philippa Smith (Sandwell), Martin Dando (Dudley), Mike Smith (Walsall), Maurice Barlow (Solihull), Andy Donnelly (WMJC), Mark Andrews (Coventry)</i>		
	Agenda item	
1	Apologies	
1.1	Ian Culley (Wolverhampton), Helen Davies (Centro),	
2	Notes of last meeting 10th February 2014	
2.1	Agreed.	
3	Matters arising	
3.1	Items covered on agenda.	
4	National Planning Policy Guidance	
4.1	Noted and welcomed its publication on 6 th March 2014 as it offers some clarification.	
5	Strategic Housing Studies Update / Progress	
5.1	GBSLEP and Black Country Recent meeting with consultants (Peter Brett Associates) concluded that LPAs had been presenting their SHLAA (land supply) findings differently. Further information has been requested to progress.	
5.2	Phases 1 & 2 due to report at a seminar on 16 th April. Meetings to be arranged with CSWAPO, and Telford and South Staffordshire after this event.	
5.3	The Coventry and Warwickshire Joint Committee has endorsed the overall level of housing in the GL Hearn Report and has been advised that there may be unmet need from the Birmingham HMA.	

5.4	AD advised that as CLGWM had been wound up, Vicki Popplewell was transferring to Sandwell and would continue to coordinate housing research programme using legacy funding. The West Midlands baseline was the earliest project on the horizon but brief would not be let in advance of considering outputs from BGS/BC Phase 1 & 2. Requested that latest version of brief is circulated again.	AD
5.5	It was acknowledged that there were potentially overlapping HMA boundaries, this seems to be playing out in Worcestershire. The north and south of the county are considered to be in different HMAs according to DCLG research, but there are interactions between the two. (See 8.2 also)	
5.6	MS drew attention to invitation from CLGWM to contribute to Lyons Review consultation but the closing date had now passed.	
	AD advised of work being undertaken by CURS students in mapping Local Plan activity. Suggested that Mott MacDonald be asked if had Green Belt GIS data set; if not approach Districts direct. Action AD	AD
6	Strategic Employment Sites	
6.1	Given abolition of CLGWM, AD was to take on role of coordinating this study. The Metropolitan Area is represented through Birmingham, Coventry, Walsall and Wolverhampton. Documentation could be circulated to wider DtC Group for information.	AD
7	Metropolitan Duty to Cooperate / Local Plan issues	
7.1	Birmingham Development Plan (BDP) - Black Country to provide pro forma response to Birmingham following BDP DtC meeting	BC authorities
7.2	HS2 – Noted publication of Higgins Review. MS referred to alternative proposals referred to by Lichfield MP.	
7.3	Solihull Local Plan legal challenge - Hearing dates now 14 th & 15 th April, brought forward from July.	

7.4	UK Central – Area for DPD in the process of being defined.	
7.5	GBSLEP SPRG – Results of consultation now been presented to Board. Noted that BC would not be making a collective response.	
7.6	Area Action Plans – Dudley (town) Issues and Options consultaion until 25 April.	
7.7	CIL – Sandwell consulting on second draft charging schedule. Dudley consulting on draft charging schedule.	
8	Adjoining Areas Consultations / Examinations	
8.1	South Worcestershire Inspector’s report into Stage 1 reconvened hearings to be published early April.	
8.2	Bromsgrove and Redditch have submitted Local Plans for Examination. Inspector has queried housing requirement given joint work with South Worcestershire (see 5.5 also).	
8.3	Cannock Chase Local Plan has been found sound, including 15km cordon for SAC contributions from Housing. Walsall has responded to Lichfield Proposed Modifications supporting an 8km cordon based on new evidence. Birmingham has supported Lichfield proposed modifications on basis that they commit to a review if necessary as a consequence of SPRG work.	
8.4	Tamworth Draft Local Plan consultation from Monday 31st March to Monday 12th May.	
9	Specialist Planning Services	
9.1	Agreed that this needs to be progressed. All requested to respond with consultancy expenditure (including legal costs incurred) under topic headings within a fortnight.	All
9.2	Funding for Strategic Planning Advisor post (currently held by AD) runs out in March 2015. Given the need to consider voluntary	

	<p>redundancy options, DC requested if all authorities could give an indicative commitment to fund beyond then within next fortnight. Under a worst case scenario, this would be £10K per authority pa. This had previously been agreed in principle for earlier years but it had not been necessary to draw it down.</p>	
10	Terms of Reference	
10.1	<p>Draft tabled, comments included:</p> <ul style="list-style-type: none"> • If consensus not reached refer to CX • Membership to be Head of Service or equivalent, with authority to commit their LPA to a position • Chair rotate after 2 to 3 years. <p>To be amended and circulated again for further refinement.</p>	AD
11	Mott MacDonald SLS	
11.1	<p>List of tasks given to Les Johnson noted. DC advised that it had been agreed by those in attendance at March WMPOG meeting that as of 2014, completing monitoring returns would be seen as being part of complying with DtC.</p>	All to note
12	Local Aggregate Assessment	
12.1	Ongoing but timetable slipped. June 2014 a realistic target for CX	
13	Any other business	
13.1	None	
	Date of next meeting	
	<p>All meetings in Lancaster Circus and commence at 14:00</p> <p>Monday 2nd June – Room 209</p> <p>Monday 7th July – Room 209</p>	

West Midlands Duty to Cooperate Group

Notes of Meeting: Monday 2nd June @14:00, Room 209 , One Lancaster Circus

In attendance: *Dave Carter (Birmingham - Chair), Philippa Smith (Sandwell), Martin Dando (Dudley), Mike Smith (Walsall), Maurice Barlow (Solihull), Andy Donnelly (WMJC), Mark Andrews (Coventry) , Helen Davies (Centro/ITA)*

	Agenda item	
1	Apologies	
1.1	Ian Culley (Wolverhampton)	
2	Notes of last meeting 31st March 2014	
2.1	Agreed subject to minor amendment.	
3	Matters arising	
3.1	Items covered on agenda.	
4	Strategic Housing Studies	
	GBSLEP and BC	
4.1	DC advised that the recent presentations to CX from both LEP areas on interim findings had taken place and lasted 90 minutes rather than the 30 minutes scheduled. CX requested that the options for growth be renamed 'scenarios', and that scenario 10 be deleted.	
4.2	PBA to undertake a refresh of the data using the recently published 2012 population projections. Agreed need for caution in using figures until this is done. However, Bromsgrove and Redditch examination hearings 16/17 June and Inspector may request information. Agreed that this is a matter of judgement for Bromsgrove and Redditch.	
4.3	PBA were also to discuss emerging issues with those authorities not directly within GBSLEP / BC study area but with close ties to it.	
4.4	Noted that the supply side more difficult to nail down due to variation in SHLAA methodologies and assumptions.	

	Coventry and Warwickshire	
4.5	MA advised that the 2012 population projections give a similar overall level of growth to what was in the SHMA but that distribution differed.	
5	Strategic Employment Sites Study	
5.1	AD advised that PBA had been selected to undertake this work following interviews on 30 th May. Their partner Jones Lang Lasalle demonstrated excellent knowledge of the property market. Inception meeting to be arranged shortly. Noted links between this work and Midlands Connect.	
6	Metropolitan Duty to Cooperate / Local plan issues	
	Birmingham Development Plan	
6.1	DC advised that officers were still dealing with representations with a view to submitting plan later in the month. Drew attention to fact that still awaiting completed DtC proforma from Black Country. MS to respond.	MS
	UK Central	
5.1	MB advised that a Prospectus was being drafted to promote UKC given the HS2 petition process. This lays the foundations for a development framework strategy to be prepared by end of year for inclusion in an AAP. Area to be covered broadly east of NEC, Birmingham Business Park, Airport and boundary with North Warwickshire.	
	Solihull Local Plan	
5.3	Sought leave to appeal High Court Decision but no response as yet. As it stands, the policies in the Local Plan that the judgement deleted would need to be referred back to a different Inspector for consideration.	
5.4	Noted that the schedule was particularly pertinent to other	

	Metropolitan LPAs in that reference to the urban renaissance was to be deleted.	
	Black Country DPDS	
5.5	No update from previous position.	
6	Adjoining Areas – Consultations / Examinations	
	Telford and Wrekin	
6.1	Consultation on Proposed Housing and Employment Sites document (including a SHMA), which sets out growth requirements for subsequent development of a draft plan. Noted that the level of housing growth identified in SHMA was lower than suggested in earlier issues and options document and that it did not appear to be providing capacity for higher than past trends migration, which would be required to deliver high levels of growth. Previously a joint response had been sent and to respond collectively via WMJC again.	AD
	Bromsgrove and Redditch	
6.2	Initial hearings on Objectively Assessed Need and DtC to take place 16 th and 17 th June. Birmingham has been asked to attend. Noted that the outcome of this may be significant in terms of dealing with growth beyond the Metropolitan boundary.	
	Warwick	
6.3	Publication Draft Local Plan issued for consultation, closing date 27 th June. Coventry supportive of approach that needs of neighbours to be dealt with by plan reviews. Solihull to determine whether it needs to respond.	MB
7	Future Working Arrangements	
7.1	DC advised that he would be retiring from BCC as of 31 st August 2014 and a replacement Chair would need to be appointed. Agreed that it should be someone familiar with the Group's working arrangements and suggested that a BC representative may be	

	appropriate.	
7.2	There was a discussion on the funding of the Strategic Planning Advisor post-March 2015. There was agreement to seek resources from the RPB legacy fund in the short run coupled with realignment of the planning elements of the shared planning resource to ensure continuity. DC to draw up proposal.	DC
7.4	DC drew attention to STOG papers, which he had received from a transport colleague. Suggested that there needed to be better coordination – specific matters included work programme, air quality (given sensitivities) and how Leaders as ITA to fulfil DTC responsibility. HD to take back to Chris Tunstall, Interim Head of ITA Policy Team	HD
8	Terms of Reference	
8.1	Subject to following changes being made agreed. AD to circulate again. <ul style="list-style-type: none"> • Clarify process and policy nature of DTC • Chair of Group to attend BIG • Reflect liaison with STOG • Representatives to be at service manager level or above 	AD
8.2	Limited response to request for consultancies spend on specialist services due to lack of dedicated budgets and often commissions were multi-dimensional covering several specialist areas. Walsall response outstanding to capacity baseline for shared services. Agreed response to be forwarded by end of week.	MS
9	Local Aggregates Assessment	
9.1	July a more realistic timescale for taking to CX.	
10	AOB	
10.1	None	

11	Date of next meeting	
11.1	7 th July 2014 @ 14:00, Room 209, 1 Lancaster Circus	

West Midlands Duty to Cooperate Group**Notes of Meeting: Monday 7th July @14:00, Room 209 , One Lancaster Circus****In attendance:** *Dave Carter (Birmingham - Chair), Philippa Smith (Sandwell), Martin Dando (Dudley), Maurice Barlow (Solihull), Andy Donnelly (WMJC), Mark Andrews (Coventry) , Helen Davies (Centro/ITA), Rachel Bell (Centro/ITA), Ian Culley (Wolverhampton)*

	Agenda item	
1	Apologies	
1.1	Mike Smith (Walsall)	
2	Notes of last meeting 2nd June 2014	
2.1	Agreed. Also agreed to circulate notes from previous meeting again.	AD
3	Matters arising	
3.1	Items covered on agenda.	.
4	Terms of reference	
4.2	Agreed subject to correction of typing errors. Correct and circulate	AD
5	Strategic Housing Studies	
	GBSLEP and BCLEP	
5.1	There had been a meeting of GBS and BC LEP Leaders (3 rd July) to receive the initial findings of the PBA report. No one present at today's meeting had been at meeting and had not yet received any formal feedback.	
6	Strategic Employment Sites Study	
6.1	Inception meeting had taken place on 7 th July am – further progress meeting 7 th August pm. As the work had been commissioned on behalf of WM CX, it had been agreed that a short information report would be drafted for each LEP to take through its structures as appropriate. AD responsible for drafting.	
7	Centro /ITA issues	

7.1	HD drafted report considered. Agreed to revisit after meeting between AD/DC and Chris Tunstall arranged for later in month.	
7.2	Queried what difference was between Centro PTE role in planning matters and ITA role as Duty to Cooperate body as identified in Localism Act Regulations. DC to ask planning solicitor.	DC
7.3	HD updated on Midlands Connect (East Midlands included) and that a subsequent phase may be commissioned subject to funding. Purpose is to present a stronger case for investment in WM from road and rail budgets. At present, largely evidence base / baseline development and being undertaken on behalf of Cross LEP Transport Group. Agreed that individual authority comments to be sent by end of week and that AD would circulate a few points for collective comment / endorsement. Key issue that need to ensure that this work dovetails with what is taking place on planning side.	AD
8	Metropolitan Local Plans	
8.1	Birmingham Development Plan submitted for examination on 1 st July. DC reminded that awaiting completed DtC proformas from Solihull and Black Country.	
8.2	Coventry – Recent cabinet report endorsed which acknowledges that Green Belt needs to be considered for development – options document to be published in September. MA to circulate Cabinet Report.	MA
8.3	Solihull Local Plan – applied for leave to appeal recent successful High Court Challenge and awaiting response. Cabinet member has signed off UKC / HS2 Prospectus, which will be taken forward as a formal planning document in due course. MB to circulate report.	MB
8.4	Solihull CIL Charging Schedule Submitted for examination last month.	
8.5	Dudley due to publish Site Allocations DPD Preferred Option later this month.	
8.6	Wolverhampton - Stafford Road and Bilston AAPs found sound by PINS and in process of being formally adopted.	
8.7	Sandwell – CIL Charging Schedule due be submitted in August 2014.	

9	Adjoining Areas	
9.1	Collective P&TSC response sent to Telford and Wrekin.	
9.2	DC and AD had attended Bromsgrove and Redditch Hearings June 16 /17. Inspectors Report to be released by 18 th July.	
9.3	Stratford upon Avon closing date 17 th July – reference to links with Birmingham HMA included in Plan, which are supported and has undertaken joint SHMA with Coventry and other Warwickshire LPAs.	
10	Brownfield Development Announcement	
10.1	Noted.	
11	Local Aggregate Assessment	
11.1	MB to check position with Dawn Sherwood.	MB
12	Mott MacDonald SLS	
12.1	2013 MYE released and circulated.	
13	AOB	
13.1	PS advised that following discussion amongst BC authorities, she had agreed to chair future meetings of group.	

Appendix 6: Note of GBSLEP Spatial Planning Group Meeting 21st August

GBSLEP – SPATIAL PLANNING GROUP

9.30am – Thursday 21 August 2014
Birmingham City Council Offices,
Room GO1A, 1 Lancaster Circus, Queensway, Birmingham

In Attendance:

David Carter, Birmingham City Council (Chair)
Anthony Lancaster, Cannock Chase Council
Rod Griffin, Arup
Maurice Barlow, Solihull MBC
Mike Dunphy, Bromsgrove District Council
Robert Mitchell, Richborough Estates
John Acres, Turley Associates
John Morgan, Cannock Chase Council
Jayne Griffiths, Birmingham City Council

1. Apologies

Ken Harrison, Solihull Metropolitan Borough Council
Rebecca Mayman, Wyre Forest District Council
Craig Jordan, Lichfield District Council

Jim Davies, Environment Agency
 Philip Somerfield, East Staffordshire Borough Council
 Rachel Bell, Centro
 Simon Papprell
 Glen Langham, Gallagher Estates

2.	<p><u>Notes of previous meeting and matters arising – 17.7.14</u></p> <p>Page 2 should read “South” Worcestershire and not “North”.</p> <p>Page 4 should read ‘East’ Staffordshire and not just Staffordshire.</p> <p>Page 6 Chair to be decided. Programmed meetings will still take place. Andy Donnelly will send papers out. Craig has sent email out regarding future chair.</p> <p>Awaiting update from Craig with regard to new Chair.</p>	CJ
3.	<p><u>Strategy Development</u></p> <p><u>Housing Study</u></p> <p>The brief for Stage 3 has been agreed by GBSLEP Board and The Supervisory Board. Ready now to fire up work on producing Stage 3.</p> <p>Black Country Committee currently going through same process on 17.9.14, will need to wait till that happens before start work.</p> <p>The Workshop held 31.7.14 was well attended (c80 people) and successful.</p> <p>JA circulated paper and gave a summary on the 3 levels of growth (capacity) and how to accommodate under the different scenarios. The paper was warmly welcomed and it was agreed it should be referred to the next meeting of Housing Study Steering Group to be held mid-September. DC also referred to a similar paper produced as a result of a discussions with JA and also Philippa Smith and Michelle Ross. This paper would also be referred to the Housing Study Steering Group.</p>	

	<p>Both papers to be looked at and then move to producing one composite agreed version. PBA to then look at Stage 3 in systematic way. Produce outcome which is reliable and then do SWOT analysis by district couple with SA analysis to build up a body of evidence. JA feels that we must look at between levels 2 and 3 in his note. DC said the Steering Group can discuss further with both papers and then revise to a single paper before final agreement.</p> <p>RG expressed concerned on how the approach compares with Employment Land considering there is a site requirement – shortage of employment land – how will this factor into it? DC said he would come back to this point later on in meeting.</p> <p>MB felt the paper was comprehensive and a lot of work and enquired on timescales? DC indicated that PBA had estimated stage 3 would take a month. DC feels tall order but worth getting it right and taking longer if necessary; need to get specifications right.</p> <p>DC thanked JA for his help in producing paper.</p>	
	<p><u>Sustainability Appraisal</u></p> <p>A number of meetings are continuing to take place and good progress is being made. Working group working towards scoping report which will be put forward for formal consultation. DC reminded private sector colleagues they were welcome to join the group.</p>	
	<p><u>Employment Land</u></p> <p>AD to look at consistency of provision across LEP area. He has previously distributed a paper from Les Johnson. Paper still to be considered.</p>	
	<p><u>Strategic Employment Sites</u></p> <p>RSS designations. Is there still a need for strategic employment sites? If not, what alternative? Data still being resolved.</p>	

(RG left meeting)

Study timescale possibly end October?

Paper circulated by DC outlines the Workplan for the next version of the “Spatial Plan for Recovery and Growth”. Paper is a brief to ensure that work continues. DC discussed the four work packages in the paper:

Work Package 1

All comments made at consultation must be picked up including comments from events held.

Need to get systematic process needs to be set up, to then ensure definitive paper. Can discuss through theme group lead meetings which DC feels still need to happen. Completion by end November.

Work Package 2

Re. (a) Stage 3 study to be completed end November – no disagreements recorded. DC reported that Leaders want to see Stage 3 before it is published.

Work Package 3

Key political input where the tricky discussions will emerge. Important to note that the Stage 3 brief notes that allocation beyond the GBSLEP and B/C will need to be based on discussion and agreement.

MD said the Inspector at Bromsgrove recognised this was the way forward on cross boundary growth.

MB felt that different interpretations could be taken between Local Authorities. Everyone noted that significant negotiations will have to take place from November.

A concern was raised about a delay occurring in January with pending local elections. DC reported that 5 months from now should make a significant difference and as long as it occurs then we should be okay.

	All were content with work packages. JA felt this was a sensible strategy.	
4.	<p><u>Duty to Cooperate</u></p> <p>AL reported that the Cannock plan has now passed the six weeks with no legal challenge. They have started work on CIL; consultation draft of local plan part 2 (including review of Green Belt).</p> <p>MB reported that the date of High Court Appeal Hearing is likely to be September/October.</p> <p>DC reported that Mr Clews will be BCC's Inspector. Two dates arranged for the submission of materials (15.9.14 being first date). Martin Eade/Ian Macleod to front hearing generally.</p>	
5.	<p><u>AOB</u></p> <p>"Growth Deal Implementation Timeline" paper circulated by DC for information.</p> <p>"GBSLEP Growth Deal Update" paper circulated by DC for information.</p> <p>DC flagged up issues on these papers that this group will need to continue actioning.</p>	

