Leicester Local Plan Examination Hearing Action List

Action 1

Duty to Co-Operate Chronology of Leicester and Leicestershire Meetings

1. Background

This Technical Note has been prepared in response to the Inspectors' request for evidence of the Council's Actions to meet the Duty to Co-operate.

The Governance of the Duty to Co-Operate (DtC) in Leicester and Leicestershire has been ongoing throughout the development of the Local Plan programme of work over its period of development through 4 consultation exercises since 2014.

The Leicester and Leicestershire Strategic Growth Plan partnership is widely seen as a strategic planning exemplar and has undertaken consistent and ongoing co-operation at senior level member and officer meetings during the whole of this period.

Agendas and minutes of these meetings are not published and approval to release these documents would require sign off from all participants, so for the purposes of this document sample agendas and a chronology of meetings is provided. Should further details be required these can be provided, subject to the approval of partner authorities.

The meeting hierarchy is as follows:

- Members' Advisory Group
- Strategic Planning Group
- Planning Officers' Forum, supported by Policy Officers Task and Finish Group

Section 2 of this note sets out the roles of these groups and section 3 details a chronology of the meetings held in during Plan preparation.

Section 4 details additional bi-lateral DtC meetings held between the City Council with Partner councils and Statutory Consultees.

2. Summary of Meeting Purposes and Scope

a. Members Advisory Group (MAG)

Currently chaired by the Leader of Blaby District Council, this meeting is attended by Leaders/Planning Executive lead Members of all constituent councils. The meeting is generally scheduled quarterly and hosting is rotated amongst member councils. The meeting does not have any formal decision taking powers, but acts as the Partnership's main means of oversight of the work programme. Members review and consider evidence and policy documents before they are recommended to be referred through the individual Council formal Governance procedures for formal approvals under the relevant constitutions.

The MAG Terms of Reference and a typical agenda are set out below

1.1 MAG Terms of Reference (September 2023)

Leicester and Leicestershire Strategic Planning Partnership September 2023

Item 5.1: Revised Members Advisory Group Terms of Reference

Description

- 1. The Members Advisory Group is a meeting of key Members (or their nominee) of all local authorities in the Leicester and Leicestershire area. The Members are responsible for assisting in the proper execution of the statutory Duty to Cooperate, for enabling collaborative working to meet national planning policy requirements, for advising on the implementation of the Strategic Growth Plan for Leicester and Leicestershire (December 2018) and the preparation of any review thereof, together with advising on any other key strategic planning matters which may arise.
- 2. The Members represent the City Council of Leicester, the County Council of Leicestershire and the seven Borough and District Councils of Leicestershire (viz. Blaby District Council, Charnwood Borough Council, Harborough District Council, Hinckley & Bosworth Borough Council, Melton Borough Council, North West Leicestershire District Council and Oadby & Wigston Borough Council). It is expected that regular attendance is limited to the Leader or relevant lead Member of each authority with one supporting officer, together with the Chair of Strategic Planning Group, the Joint Strategic Planning Manager and their secretariat support. The Leicester & Leicestershire Enterprise Partnership is invited to attend as an observer.

Purpose

- 3. The purpose of the Members Advisory Group is to:
 - a) facilitate the sustainable growth of Leicester and Leicestershire by assisting in the discharge of the statutory Duty to Cooperate (section 110 of the Localism Act 2011), enabling collaborative working in accordance with national planning policy, advising

on the implementation of the Strategic Growth Plan (December 2018) and the preparation of any review thereof, and on any other key strategic planning matters which may arise;

- b) provide Member-level advice to the Strategic Planning Group (the officer-level group tasked with overseeing the non-statutory Strategic Growth Plan) on matters relating to the implementation of the Plan through statutory development plans, and on any review of the Plan including its nature, form and content;
- c) convey the views held by constituent authorities on matters relevant to the implementation of the agreed Strategic Growth Plan, and have regard to the aspirations of the wider stakeholder group in the preparation, review and updating of the Plan, including matters relating to local economic strategies; and
- d) ensure that the preparation, review and updates to a non-statutory Strategic Growth Plan fully integrate with existing or emerging spatial provisions of all up-to-date, National Planning Policy Framework (NPPF) compliant local plans across the Leicester and Leicestershire area in every strategic and spatial interest of acknowledged importance, whilst seeking to address the impact of climate change.

Background

The Duty to Co-operate

4. The Localism Act 2011 and the National Planning Policy Framework (2021) place a duty upon all local planning authorities to engage "constructively, actively and on an on-going basis" with neighbouring authorities and other prescribed bodies on strategic planning matters such as housing and employment land provision, and essential infrastructure provision. The National Planning Policy Framework states:

"Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries...

Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.

In order to demonstrate effective and on-going joint working, strategic policy-making 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..." (Paragraphs 24,26 and 27 of the NPPF 2021)

A Strategic Growth Plan for Leicester and Leicestershire

5. The Leicester and Leicestershire Authorities have been working together, across the geographic area of Leicester and Leicestershire on strategic planning matters. The Authorities approved a non-statutory Strategic Growth Plan in December 2018 which sets out a long-term vision to inform Local Plans. This helps ensure that the strategic spatial strategies of local plans 'flow' across District, Borough and City boundaries on a county-wide scale. There is a shared desire to accommodate sustainable housing and economic growth while protecting important environmental assets. The Strategic Growth Plan will also be aligned with local economic strategies. Any update to the Strategic Growth Plan will continue

to reflect the importance and value of strategic planning across local governance boundaries, seeking to maximise economic and environmental opportunities and benefits.

Governance

The Members Advisory Group will facilitate the implementation of the non-statutory Strategic Growth Plan covering the Leicester and Leicestershire area and advise on the preparation, review and updating of the Plan. The Members Advisory Group provides advice, guidance and direction for the preparation of a Strategic Growth Plan, any other key strategic planning matters and is a platform for influencing change. Its role is advisory. Any proposals or recommendations of the Members Advisory Group are not binding on the constituent member authorities. Any decisions regarding proposals for the development and/or implementation of any statutory or non-statutory Strategic Growth Plan remain the responsibility of each individual member authority.

Functions and responsibilities

- 7 The functions and responsibilities of the Members Advisory Group are to:
 - a) receive briefings on new national planning policies and, as necessary, agree future direction in handling these matters as effectively and efficiently as possible;
 - b) assist decision making in the procurement of the necessary evidence base, identifying the extent to which evidence should be shared, and in what proportions, and assist in the preparation and commissioning of future collaborative studies;
 - c) consider reports, plans, consultation documents and other material created for the purposes of implementing or reviewing the Strategic Growth Plan and for complying with the Duty to Cooperate, and give views on this material;
 - d) in so doing, set the overall direction of the Strategic Growth Plan and thereby provide the sub-regional context for the preparation of statutory development plans;
 - e) delegate work to other groups and ask for reports on matters relevant to the implementation of the Strategic Growth Plan and any subsequent review, and the Duty to Cooperate;
 - f) advise on the appropriate methodology for handling sensitive issues;
 - g) demonstrate the commitment of the Leicester and Leicestershire authorities to the Duty to Co-operate and how this is implemented constructively, actively and on an on-going basis as required in the statutory plan-making process;
 - h) communicate matters relevant to the Duty to Co-operate, the Strategic Growth Plan or any other key strategic planning matter which may arise within the respective local authority of each Member; and
 - i) ensure that a Strategic Growth Plan for Leicester and Leicestershire will complement all existing and emerging Local plans across this geographical area in the period up to their collective expiry dates.

Frequency of Meetings

8 The Members Advisory Group will meet regularly throughout the year as necessary for the effective and efficient execution of its work. The meetings will usually be held in person but may be held virtually or be a hybrid of the two. Member substitutes will be allowed.

Chair, Vice Chair and Secretariat

The chair and vice chair of the Members Advisory Group will serve for a period of 12 months from June 2023. A chair and vice chair will be appointed on an annual basis by the Group. The secretariat for each meeting will be the Joint Strategic Planning Manager with support provided for minute taking from within the Partnership.

Revisions to the Terms of Reference

The Terms of Reference for the Members Advisory Group will be reviewed annually in July or at any other such time as might be deemed appropriate by the Group. In the light of forthcoming national planning reforms, it is anticipated the Terms of Reference will be reviewed once the detail of the reforms becomes clear to ensure the Members Advisory Group remains 'fit for purpose'.

Version of 14.09.2023

Sample MAG Agenda:

STRATEGIC GROWTH PLAN

MEMBERS ADVISORY GROUP

AGENDA

Item	Topic
	Regular Items
1	1.1 Welcome and apologies
2	Minutes and matters arising
	2.1 Notes of last meeting (attached)
	2.2 Actions arising from last meeting (attached)
	2.3 Matters arising not otherwise on the agenda
	Matters for Discussion
3	Information Item
	3.1 Local Plan Updates
	Charnwood Borough Council
	Leicester City Council

4	Strategic Growth Plan	
	4.1 Strategic Growth Plan	
	4.2 Strategic Transport Assessment Stage 1 Report	
	4.3 Publication of Strategic Growth Options and Constraints Mapping Study & Strategic Transport Assessment Stage 1:	
	4.4 Infrastructure Workstream Update	
	4.5 Signing of Statement of Common Ground	
5	AOB	
	Future meetings	
6	Future meetings	

b. Strategic Planning Group (SPG)

Currently chaired by the Chief Executive of Charnwood Borough Council, and serviced by the Partnership's Joint Strategic Planning Manager, SPG is the senior officer Steering Group which oversees the delivery of the Partnership work programme in support of the Members' Advisory Group.

SPG meets monthly and has a remit which focusses on Strategic planning but also extends to regeneration matters, housing, transport and other cross cutting policy issues which relate.

As well as Directors/Heads of Planning, SPG is also attended by representatives of:

- Homes England
- Leicester and Leicestershire local Highway Authority representatives
- Leicestershire County Council Public Health
- Active Travel England

SPG regularly invites representatives from a wide range of stakeholder and partner organisations to inform, discuss and secure input into strategic planning work including Midlands Connect, the Leicester and Leicestershire Integrated Care Board, representatives of the Leicester and Leicestershire Local Nature Recovery Partnership and other relevant bodies.

SPG acts as the sign off body for papers and presentations to be presented to MAG.

A typical Agenda is attached below.

STRATEGIC GROWTH PLAN STRATEGIC PLANNING GROUP

AGEN	GENDA	
Item	Topic	
1	Welcome and apologies	
	1.1 Apologies 1.2 Minute taker	
	1.2 Wilnute taker	
2	Notes and matters arising	
	2.1 Notes of meeting held on	
	2.2 Actions agreed at meeting held on	
	2.3 Matters arising	
3	Accelerating growth and securing infrastructure	
	3.1 Integrated Care Board Update	
	3.2 Local Transport Plan 4	
	3.3 L&L Infrastructure Planning Update	
4	L&L Economic Growth Strategy	
	4.1 LLEP Update	
5	Strategic Growth Plan	
	5.1 Healthy Workstream	
	5.2 Charnwood Local Plan Update	
	5.3 Leicester City Local Plan Update	
	5.4 SGO/STA1 publication	
	5.5 MAG Agenda	
	5.6 Strategic B8 apportionment study - update	
6	AOB	
7	Dates of next meetings	

c. Planning Officers' Forum (POF)

POF also meets monthly and is a meeting of all Heads of Planning from Leicester and Leicestershire. Highway authority representatives together with the Joint Strategic Planning Manager also attend the meetings.

The Group serves as the main planning body which organises the implementation and delivery of the work programme of the Partnership.

The meeting is currently chaired by the Head of Planning at Charnwood Borough Council. POF has provided a valuable and ongoing opportunity to address and resolve matters of DtC concern, share learning and ensure mutual support over resource management.

A typical Agenda is	copied below:
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PLANNING OFFICERS FORUM

AGEN	AGENDA	
Item	Topic	Lead
1	Welcome, introduction and apologies	
3	Notes/actions of last meeting	
4	Health Workstream Update	
5	Biodiversity Net Gain Implementation and update	
6	Transport updates and LTP 4	
7	Management of Section 106 Monies	
8	Strategic Transport Assessment	
9	Strategic Planning Group SGP Review Work programme: Strategic Growth Options & Constraints Study Strategic Transport Assessment) Strategic B8 Apportionment Study	
10	Green Wedge consistency statement	
11	DLUHC statutory indicators and designation	
12	Local Plan updates	
13	Local Plan timetables – tracker update	
14	AOB	
15	Date of Next Meetings	

The technical work of POF (in terms of drafting and assembling papers, briefs and commissioning evidence) is cascaded down to a more focussed meeting of Planning Policy officers known as the 'Task and Finish' Group which generally meets weekly. This Group is the main technical working group which actions the work of the partnership

and has been invaluable in delivering the Duty to Co-operate and financial efficiencies through a shared working approach.

3. Detailed Chronology of L&L DtC Meetings in recent years

Members Advisory Group

Meeting Dates
26.06.14
24.07.14
23.10.14
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Strategic Planning Group

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Planning Officers Forum

Dates provided from the past 5 years. Earlier meetings available on request.

Meeting Dates
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27.09.24	

4. <u>Bi-Lateral DtC Meetings with Districts and Statutory</u> Consultees

In line with NPPF, para. 24, meetings were held between Leicester City Council planning officers and planning officers from the Leicestershire district authorities to inform on and discuss strategic cross-boundary matters. The meetings in 2023 were scheduled ahead of submission of the Leicester Local Plan and the 2024 meetings were scheduled ahead of the Local Plan Examination hearings.

Meetings were also held in 2023 and 2024 between Leicester City Council planning officers and Local Plan statutory consultees to discuss matters raised by the consultees in their representations submitted during the public consultations on the local plan.

The meetings have been valuable in exchanging up-to-date information with our neighbouring LPAs on our draft Local Plan and their draft plans, as well as being an opportunity to provide clarification and discussion on points raised in representations made on the draft Leicester Local Plan. Minutes can be made available on request.

Date	Attendees	Agenda
23.02.23	Blaby DC	 Blaby Local Plan Strategic Sites Former Western Park Golf Course Central Development Area Education and Infrastructure Reports
31.05.23	Campaign to Protect Rural England	 Local Plan vision and climate change Strategic Sites Policy SL03 (Land East of Aston Green), and SL04 (Land North of the A46 Bypass) Transport Housing Need Strategic Growth Plan
31.05.23	Natural England	 Local Plan Policy CCFR01: Sustainable Design and Construction Local Nature Recovery Strategy Policy NE01: Protecting designated sites, legally protected and priority species, and priority habitats

	1	
		 Policy NE02: Biodiversity Gain Para. 15. 13 & Policy NE03: Green and Blue Infrastructure Strategic Policies SL02-SL05 Local Plan Vision Examination
15.06.23	Charnwood BC	 Update on the plan Local Plan Strategic Sites North of Leicester Transport Study
19.06.23	Hinkley and Bosworth BC	Policies Map/Inset MapHBBC Local Plan
26.06.23	Sport England	 Update on the Plan Sport England (SE) Regulation 19 representation on the Leicester Local Plan Leicester and health/activity indicators
04.07.23	Northwest Leicestershire DC	 Update on the plan NWLDC Regulation 19 representation on Local Plan NWLDC Local Plan update
06.07.23	National Highways	 Update on the plan National Highways (NH) Regulation 19 representation on Local Plan
12.07.23	Blaby BC	 Update on the plan Blaby DC Local Plan Glenfield Neighbourhood Plan Former Western Park Golf Course Site Central Development Area and delivery of sites Education provision and infrastructure reports
28.07.23	Historic England	 Local Plan update Historic England Reg 19 representations on local plan Local Plan Examination
03.08.23	Harborough DC	 Update on the plan HDC Local Plan Update Harborough representation on Regulation 19 Local Plan
08.08.23	Oadby and Wigston BC	 Update on timescales and the plan Strategic Housing and Infrastructure Highways, public transport and connectivity Green Infrastructure and Healthy Living Economy and Employment Environment and Sustainability
22.08.23	Campaign to Protect Rural England	Housing NeedHousing Supply
29.04.24	Oadby and Wigston BC	Update and timescales on the planStrategic priorities

		Joint evidence base
		County wide work
12.05.04	Melton BC	Update on the plan
13.05.24	T ICKOT BO	MBC Local Plan Review
14 OF 24	Charnwood	Update on the plan
14.05.24	BC	Local Plan Strategic Sites
		North of Leicester Transport Study
		Cross Boundary Infrastructure
		Update on charnwoods post examination Local Plan
		progress
15.05.24	Blaby BC	Update on The plan
		BDC Local Plan Update
		Former Western Park Golf Course
		Glenfield Neighbourhood Plan
		Education Provision and Infrastructure Reports
		North of Leicester Transport Study
		Gypsy and Traveller Accommodation Assessment
		Any SoCGs/MoUs required?
17.05.24	Northwest	Update on the plan
	Leicestershire	 Post-2036 distribution of the city's unmet need
	DC	Transport
		NWLDC Local Plan Update
21.05.24	Hinkley and	Update on the plan
	Bosworth BC	North of Leicester transport Study
		HBBC Local Plan
22.05.24	Sport England	Update on the plan
		Infrastructure
		Site Allocations which SE objected to in Regulation
		19
29.05.24	Harborough	Update on the plan
	DC	Harorough District Council Local Plan Update
		Leicester post-2036 unmet need
		Infrastructure
		Scraptoft Golf Course
04.07.24	Historic	Update on the plan
	England	 Infrastructure Policy Update/Developer Contributions SPD
		Local Plan Review
		Historic England's points of objection on submitted
		Local Plan