

PAPER NO. 7

REPORT TO THE EXECUTIVE MEETING OF 4th DECEMBER 2017

Meeting: Executive

Date: 4 December 2017

Subject: Leicester and Leicestershire Joint Statement of Cooperation relating to Objectively Assessed Need for Housing

Report of: David Atkinson

Portfolio Holder: Councillor Phil King

Status: For Decision and Recommendation

Relevant Ward(s): All

1. Purpose of the Report

1.1 To consider a Joint Statement of Cooperation relating to the Objectively Assessed Need for Housing between the eight local authorities and two highway authorities that collectively make up the Leicester and Leicestershire Housing Market Area (HMA).

2. Recommendation:

2.1 **To authorise the Corporate Director (NP) to sign the Joint Statement of Co-operation linked to ensuring the delivery of housing requirements across Leicester and Leicestershire (attached in Appendix A).**

3. Summary of Reasons for the Recommendations

3.1 To formally record the support of the Council to a Joint Statement of Co-operation linked to the delivery of housing requirements across Leicester and Leicestershire (Appendix A).

4. Key Facts and Analysis

4.1 At their meeting on 14th February 2017 Executive considered a report relating to the final Housing and Economic Development Needs Assessment and associated Joint Statement of Cooperation that at that time was intended to support the submission of the North West Leicestershire Local Plan at its Public Examination. Executive will recall that the Leicester and Leicestershire local authorities and the Local Enterprise Partnership (LEP) commissioned GL Hearn to carry out a Housing and Economic Development Needs Assessment (HEDNA) to assess future housing needs, the scale of future economic

growth and the quantity of land and floorspace required for B-class economic development uses between 2011 and 2031/36. The assessment provides evidence to inform the preparation of statutory local plans by individual local planning authorities across the Leicester and Leicestershire Housing Market Area (HMA), a non-statutory Strategic Growth Plan for Leicester and Leicestershire and a refresh of the LEP's Strategic Economic Plan. The HEDNA confirmed an Objectively Assessed Need for housing for the Harborough District of 532 dwellings per annum for the period 2011 – 2031 which is the Local Plan period. This would deliver 10,640 dwellings in the District by 2031.

- 4.2 Members will recall that in the light of potential development of additional strategic distribution the overall annual housing requirement becomes 557 per annum. This amount can be accommodated in the district as a 20% flexibility allowance relating to the provision of land for new housing has prudently been built into the Proposed Submission Local Plan thereby enabling an annual delivery amount of 640 per annum. This enhanced delivery rate will enable the delivery 12,800 dwellings in the District by 2031.
- 4.3 The Council must also be prepared to assist in meeting the housing need of any authority within the Housing Market Area (HMA) which is demonstrably unable to meet its own housing need. The 20% flexibility allowance also allows for an appropriate contribution from the Harborough District towards meeting any such demonstrated unmet need from another authority in the HMA.
- 4.4 Associated with ensuring a cross-boundary, joined up approach to the delivery of new homes across the HMA an updated Joint Statement of Co-operation has been prepared by the authorities that make up the HMA (see Appendix A). Subject to this updated document being approved by the Executive, this will supersede the previous version of this document approved by the Executive at their meeting of 14th February 2017 and intended to support the preparation of the North West Leicestershire's Local Plan. This document would then bind the Council to joint working with other Councils in the HMA in order to explore how housing need across the HMA, as a whole, can be met.
- 4.5 This is the second element in a three stage process. The document commits all authorities to working together positively to help deliver the identified levels of housing and employment need across the Leicester and Leicestershire HMA through their Local Plans. The document was endorsed by the Leicester and Leicestershire Joint Member Advisory Group at its meeting on November 6th 2017 and is now attached for approval of the Executive (Appendix A). The document demonstrates an important commitment to working with the partner Councils across the HMA in a mutually cooperative manner. It is important to be able to demonstrate this in order for the provisions of the statutory Duty to Cooperate to be met. This will be a key test of the Local Plan's soundness at the Public Examination to be held in 2018.
- 4.6 The Joint Statement of Cooperation will also commit HDC to working together with other Councils across the Leicester & Leicestershire HMA on a Strategic

Growth Plan. This will involve looking at options to help deliver any demonstrable unmet housing need arising from any of the authorities in the Leicester and Leicestershire HMA and will involve assessing options for additional development in Harborough District going forward. However, members should also note that the 20% flexibility in the Proposed Submission Local Plan is sufficient to enable Harborough District to make a significant contribution (if required) to demonstrable unmet need from outside the District in the period up to 2031.

- 4.7 Any such requirement will be formally identified within a further formal Memorandum of Understanding; this is the third element of the three stage process referred to in paragraph 4.5 above. This cannot be prepared until any level of 'unmet need' has been identified and a HMA scale spatial distribution agreed. This will be within the context of the Strategic Growth Plan prepared on a Leicester and Leicestershire HMA scale and in the light of associated cross-boundary discussions around suitable spatial distribution options. The formal Memorandum of Understanding will commit all partner councils of the Leicester and Leicestershire HMA to giving effect to the agreed spatial distribution of any unmet housing need through Local Plan reviews going forward.
- 4.8 The Government has recently consulted on a document entitled 'Planning for the right homes in the right places'. This accompanies the Housing White Paper, consulted on earlier in the year. The document explains that the Government is proposing to amend the National Planning Policy Framework to set out that local planning authorities should produce a statement of common ground where planning issues need to be addressed by more than one authority. The statement of common ground would be prepared across a housing market area (or other agreed geographical area where appropriate) and would set out the cross-boundary issues and help to evidence compliance with the Duty to Cooperate. The statement is not intended as an extra burden or to disrupt existing working arrangements. As such, both the Joint Statement of Cooperation and the Memorandum of Understanding are likely to form the basis of future statements of common ground. Approval of the Joint Statement of Cooperation at this stage would help inform such a statement.

5. Legal Issues

- 5.1 The proposal for a Joint Statement of Co-operation and future Memorandum of Understanding has been referred for external legal opinion by the Joint Strategic Planning Manager and there are no legal or procedural barriers to the approach being proposed.

6. Resource Issues

- 6.1 The signing of the Joint Statement of Co-operation linked to ensuring the delivery of Housing Requirements across Leicester and Leicestershire does not incur any additional direct costs.

6.2 The preparation of the local plan remains complex with ongoing need for evidence based studies, dedicated staffing resource and ancillary costs. In addition, recent Government announcements on the National Planning Process would indicate the need for ongoing expense and review even after an adoption of the Local Plan. Any further resource requirement will be considered as part of the 2018/19 budget process.

7. Equality Analysis Implications/Outcomes

7.1 There are no equality issues as a result of the report.

8. Risk Management Implications

8.1 The Executive is advised that not approving the Joint Statement of Cooperation will significantly increase the risk of the Plan not being found sound by an independent planning inspector when the Plan is examined.

8.2 Not endorsing a Joint Statement of Co-operation risks the Council not being able to satisfy the statutory Duty to Co-operate.

9. Consultation

9.1 Consultation has been undertaken with the Portfolio Holder.

10. Options

10.1 Not to support the Joint Statement of Co-operation between the Councils of Leicester and Leicestershire – it is recommended this approach is not supported.

11. Background Papers

11.1 None, other than referred to in the body of the report.

Previous report(s): None

Information Issued Under Sensitive Issue Procedure: No

Ward Members Notified: NA

Appendices:

A. Leicester and Leicestershire Authorities: Joint Statement of Co-operation Relating to Objectively Assessed Need for Housing, October 2017