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PLAN

DELEGATED REPORT

**APPROVAL OF LIVERPOOL CITY REGION
SPATIAL PLANNING STATEMENT OF
COMMON GROUND**

REPORT SUMMARY

To seek approval of the Liverpool City Region ‘Spatial Planning Statement of Common Ground’ in relation to development plans and the planning process. This is due to be approved by the Liverpool City Region Combined Authority and all the constituent local authorities between July and September 2019. The ‘Statement of Common Ground’ demonstrates effective and on-going joint working, cooperation and progress on cross-boundary strategic planning matters between the neighbouring strategic policy-making authorities, and that they meet the statutory ‘duty to co-operate’.

RECOMMENDATIONS

- (1) That the Liverpool City Region ‘Spatial Planning Statement of Common Ground’ be approved;
- (2) That the Corporate Director for Economic and Housing Growth be given delegated authority to agree minor wording changes to the Spatial Planning Statement of Common Ground if subsequently proposed by other Liverpool City Region Districts or the Combined Authority;
- (3) That the Deputy Leader of the Council/Cabinet Member for the Local Plan signs the final approved ‘Spatial Planning Statement of Common Ground’ on behalf of Wirral Council once the document has been approved by the Combined Authority;
- (4) That the Cabinet Member for the Local Plan approve and sign any future versions of the ‘Spatial Planning Statement of Common Ground’ in future years.

SUPPORTING INFORMATION

1.0 REASON FOR RECOMMENDATION/S

- 1.1 Under the Localism Act 2011 Wirral Council has a legal ‘duty to co-operate’ to engage constructively and actively, and to address strategic cross-boundary matters when preparing Local Plans. Paragraph 27 of the National Planning Policy Framework (2019) states that this should be demonstrated through joint preparation of statements of common ground. When submitted to the Secretary of State, the Wirral Local Plan will be required to be accompanied by one or more Statements of Common Ground. Approval of the Liverpool City Region Spatial Planning Statement of Common Ground will form part of the evidence required to demonstrate compliance with the duty to co-operate requirements in relation to the other local authorities in the Liverpool City Region.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Not to participate in the preparation of a Statement of Common Ground or to approve one would make it difficult for Wirral Council to demonstrate to the Local Plan Inspector that it has met the statutory duty to co-operate in preparing the Wirral Local Plan.

3.0 BACKGROUND INFORMATION

- 3.1 The National Planning Policy Framework (February 2019) requires neighbouring strategic policy-making authorities, such as Wirral Council, to document effective and on-going joint working, cooperation and progress on cross-boundary strategic planning matters. Paragraph 27 of the National Planning Policy Framework states that this should be documented in Statements of Common Ground which are to be made publicly available. Statements of Common Ground also form part of the evidence required by local planning authorities to demonstrate compliance with the ‘duty to co-operate’ set out in the Localism Act 2011. This places a legal duty on local planning authorities to engage constructively and actively, and to address strategic cross-boundary matters in preparing Local Plans. Importantly the duty to co-operate is not a duty to agree, but rather a commitment to engage in a meaningful and substantive way in respect of cross border issues.

- 3.2 The seven local planning authorities in the Liverpool City Region (Halton, Knowsley, Liverpool, St. Helens, Sefton, Wirral and West Lancashire (which is an associate member), along with the Liverpool City Region Combined Authority, (“the LCR authorities”) have jointly prepared and are seeking to agree, a Liverpool City Region Spatial Planning Statement of Common Ground (“LCR SoCG”), a copy of which is appended to this report.

- 3.3 The LCR SoCG covers the areas of the LCR authorities. They consider this to be the most practical geography for the Statement to cover, building as it does on a range of existing evidence as well as established working arrangements in the LCR. Adopting this Statement does not reduce the signatory authorities’ recognition of the need to continue to cooperate and work closely on planning matters with other bodies or neighbouring local authorities where relevant. Other

bodies may be invited to be additional signatories to future reviews of this Statement of Common Ground as necessary and appropriate, for example the LCR Local Enterprise Partnership, the Environment Agency or Homes England. Wirral will need to prepare and agree a separate Statement of Common Ground with Cheshire West and Chester Council, which will be subject of a separate report in due course.

- 3.4 The LCR SoCG is in line with national planning policy advice and best practice, set out in the National Planning Policy Framework (2019), national planning practice guidance and the Local Government Association (Planning Advisory Service (PAS)) 'PAS Statement of Common Ground Draft Advice and Template'.
- 3.5 Chapters 1-3 of the LCR SoCG set out the authorities involved, signatories for each Council and strategic geography of the LCR. The Planning Advisory Service's draft Advice and template states that "The Statement of Common Ground needs to be signed by an agreed individual in a leadership position from each of the local authorities and strategic bodies. For the local planning authorities this will be a Councillor such as a leader or portfolio holder of the Council. The signatories give the public commitment that agreement has been or will sought to be reached". It is proposed that the Deputy Leader of the Council/Cabinet Member for the Local Plan signs the final, approved 'Statement of Common Ground' on behalf of Wirral Council.
- 3.6 Chapter 4 of the LCR SoCG sets out the range of relevant spatial planning matters. Points of common ground – either already established, or setting out areas where the LCR authorities will work together to deal with cross-boundary strategic matters – are highlighted in boxes, alongside with supporting text and explanation. There are 22 points of common ground, covering:
 - Liverpool City Region Spatial Development Strategy
 - Housing - housing delivery and unmet need
 - Employment land – strategic B8 (storage& distribution) sites
 - Green Belt
 - Retail hierarchy
 - Transport planning – rail, roads, Port of Liverpool, Liverpool John Lennon Airport
 - Digital Inclusion
 - Utilities
 - Renewables – Mersey Tidal Barrage
 - Environmental and green infrastructure - protecting internationally important habitats, Northern Forest and Mersey Forest, flood and coastal erosion risk management, air quality
 - Waste and Minerals.
- 3.7 In relation to housing, the second point of common ground in the LCR SoCG states that the LCR Authorities agree that future Local Plan housing requirements will either equal or exceed the identified Local Housing Need, with the 2017 Liverpool City Region Strategic Housing and Employment Land Market Assessment (SHELMA) informing an alternative approach for any higher figure for some authorities. The LCR authorities agree that there is no unmet housing need to be redistributed among or beyond the seven local authorities during

current local plan periods. The LCR authorities will keep this issue under review as the individual councils prepare updated development plans. Where local authorities' local plan evidence indicates that they will not be able to accommodate their entire assessed needs, the processes for agreeing the distribution of this unmet need will be set out in future updates of the LCR SoCG.

- 3.8 In relation to Green Belt, since the Merseyside Green Belt was established in 1983, individual LCR authorities have reviewed Green Belt boundaries in their own areas through their development plans. There has been no sub-regional review. The fourth point of common ground recognises that this approach is likely to continue and agrees, both that LCR authorities will continue involving each other closely when reviewing their Green Belts and that "If they decide in future that it is necessary to conduct a joint strategic review of the Green Belt in the LCR, the reasons and agreed approach will be set out in a future Statement of Common Ground".
- 3.9 Chapter 5 of the LCR SoCG explains how the statement will be adopted by the signatory authorities. At LCR level it draws on the established mechanism for agreeing City Region-wide documents: the LCR Housing and Spatial Planning Advisory Group (comprising the Portfolio Holders from each of the 6 constituent local authorities and other stakeholders), and the Liverpool City Region Combined Authority (on which Mayor / Leaders of the 6 constituent local authorities and the Liverpool City Region Mayor have voting rights). It is also due to be adopted by each of the seven LCR local authorities. The LCR Statement of Common Ground will be made publicly available on the local authorities' and Combined Authority's websites.
- 3.10 Chapter 6 of the LCR SoCG explains how it will be kept up to date. The Statement of Common Ground is a live document and will be reviewed and updated, as determined by the preparation timetables of each authority's Local Plan or if relevant new or updated evidence becomes available. As a minimum, the LCR authorities will consider annually if a review is necessary. Future versions of the statement will be agreed by the Combined Authority and local authorities as outlined above.

4 NEXT STEPS AND RECOMMENDATIONS

- 4.1 This report recommends the approval of the Liverpool City Region 'Spatial Planning Statement of Common Ground', reflecting Wirral's agreement to the document. While agreeing to the current document and the points of common ground it sets out, the Statement of Common Ground will be subject to review, updating and further approval in the future, as set out in paragraph 3.10 above and chapter 6 of the document.
- 4.2 The Statement of Common Ground also needs to be approved by the other LCR authorities and the Combined Authority. These approval processes are due to take place in July and September 2019. The Statement of Common Ground is necessary evidence to demonstrate that the LCR authorities they have fulfilled their legal and other requirements as they progress their Local Plans.

- 4.3 There is a small risk that during this city region-wide approval process minor changes will be proposed (for example, phrasing or typographical/grammatical changes). It is proposed that the Corporate Director for Economic and Housing Growth be given delegated authority to agree minor wording changes to the Statement of Common Ground if proposed by other Liverpool City Region Districts or the Combined Authority, prior to the signing of the Statement of Common Ground by the Deputy Leader of Wirral Council/Cabinet Member for the Local Plan.
- 4.4 The report recommends that the Deputy Leader of the Council/Cabinet Member for the Local Plan signs the final, approved 'Statement of Common Ground' on behalf of Wirral Council, once the document has been approved by the Combined Authority.
- 4.5 The report also recommends that the Cabinet Member for the Local Plan approves and signs, on behalf of Wirral Council, any future versions of the Statement of Common Ground in future years.

4.0 FINANCIAL IMPLICATIONS

- 5.1 The costs of on-going, day-to-day co-operation with the other local planning authorities in the Liverpool City Region and with the Combined Authority will be met from existing budgets.

5.0 LEGAL IMPLICATIONS

- 6.1 There are no legal implications arising from this report

6.0 RESOURCE IMPLICATIONS: ICT, STAFFING AND ASSETS

- 7.1 On-going, day-to-day co-operation with the other local planning authorities in the Liverpool City Region and the Combined authority is undertaken with existing IT and staff resources in the Economic and Housing Growth Directorate.

7.0 RELEVANT RISKS

- 8.1 The risk that further changes are proposed to the SoCG after delegated approval is addressed through the recommended granting of delegated authority to the Corporate Director for Economic and Housing Growth to agree minor wording changes

9.0 ENGAGEMENT/CONSULTATION

- 9.1 The Statement of Common Ground is a joint document and has been prepared in consultation with Sefton, Halton, Liverpool, St Helens and West Lancashire Councils and the Liverpool City Region Combined Authority. No other consultations are appropriate.

10.0 EQUALITIES IMPLICATIONS

- 10.1 There are no direct Equalities Implications. The Wirral Local Plan has been subject to ongoing Equality Impact Assessment. Results of previous Equality Impact Assessments prepared at each stage in the preparation of the Core Strategy can be viewed at <http://www.wirral.gov.uk/planning-and-building/local-plans-and-planningpolicy/local-plans/core-strategy-local-plan-0>

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APPENDICES

Liverpool City Region Spatial Planning Statement of Common Ground – Draft for approval (July 2019)

BACKGROUND PAPERS

SUBJECT HISTORY (last 3 years)

Council Meeting	Date