

Gladman

Matter 1 Hearing Statement

North West Leicestershire Local Plan Partial Review

Examination

Legal Requirements and Procedural Matters



April 2020

Q1. In respect of Duty to Co-operate, have the Council engaged constructively, actively and on an ongoing basis in the preparation of the Partial Review?

- 1.1 The Statement of Consultation (document reference LP11a and LP11b) sets out the steps the Council has taken to engage neighbouring bodies and statutory consultees during preparation of the Partial Review. On the basis of the information presented, Gladman consider that the Council has discharged its legal obligations in relation to the Duty to Cooperate for the Partial Review.
- 1.2 The Duty to Cooperate continues post adoption and there needs to be confidence that there are effective mechanisms in place to secure cross-boundary working post adoption. In Gladman's view there is evidence that scope for continued cross-boundary working exists as outlined within the Statement of Common Ground (document reference LP08), however for the reasons set out below in response to Q1a Gladman question the effectiveness of these arrangements.
- 1.3 In more general terms however, it is questionable to what degree constructive, active and ongoing collaboration has taken place on a county wide basis since the adoption of the Local Plan. This view is reached considering the 3-years that have now elapsed since the conclusion of examination of the North West Leicestershire Local Plan and publication of the HEDNA. Despite this passage of time the same unanswered question of how Leicester's unmet housing needs are going to be met exist now as they did in 2017.
- 1.4 Whilst acknowledged that reasons for this delay are to some extent beyond the control of the Council, there has nevertheless been a lengthy period for agreement in principle to have been reached about how unmet housing needs are to be addressed once quantified. The absence of a clear pathway forwards in this regard is a failing of cross-boundary planning in Leicestershire with immeasurable social and economic harm. The proposed amends to Policy S1 does nothing to address this and will compound current issues further offsetting these to a later date. Substantive revisions to the Council's approach are required.

Q1a. What are the key outcomes from the co-operation with neighbouring authorities?

- 2.1 A signed Statement of Common Ground is submitted as part of the examination library (document reference LP-08). The Statement of Common Ground confirms that none of the Leicestershire authorities object to the approach of the Council in its partial review of the Local Plan. It confirms the housing needs position of North West Leicestershire Council based on the 2017 HEDNA and the Standard Method. It also sets out the mechanisms for how future cross-boundary working will be undertaken across the county.

- 2.2 Critically however the Statement of Common Ground stops short of setting out a commitment to the preparation of and the timetable for future agreements relating to addressing unmet housing needs of Leicester, and instead only provides a broad commitment to finding a solution to this problem with a limited description of the mechanism which will deliver this future agreement.
- 2.3 In this way, Gladman do not consider that the Statement of Common Ground submitted supports the soundness of the Council's proposals for Policy S1. The Statement of Common Ground does little to address the pertinent cross boundary issue of housing need, and instead defers this despite being integral to Policy S1.
- 2.4 To address this shortcoming, Gladman consider that the Statement of Common Ground must be amended to provide a greater degree of certainty that future housing needs will be dealt with on a county wide basis. A firmer account of the content and timescales for dealing with unmet housing needs should be provided within this document and signed up to by each authority. The Statement of Common Ground should also confirm a commitment to advance work now to understand how any unmet housing need might be distributed across the wider authorities, taking into account capacity for additional supply, infrastructure requirements, and utility needs.
- 2.5 Further detail is needed within the Statement of Common Ground to provide confidence that cross-boundary working can effectively address the unmet housing needs of Leicester within the intended timescales and minimise the potential for further delay. It is further justified against the backdrop of significant delay and inaction in relation to this topic.