
NEW LOCAL PLAN ISSUES AND OPTIONS DOCUMENT:

DUTY TO CO-OPERATE TOPIC PAPER 2017

1 PURPOSE OF REPORT

- 1.1 The Council is undertaking a review of its local Development Plan policies. Whilst the Council has historically engaged with its neighbours, infrastructure providers and other public bodies in the preparation of its plans, since 2011 the Duty to Co-operate is a firm legal requirement. This report explains the origins of the Duty to Co-operate, its impact on plan-making and the purpose of the topic paper.

2 SALIENT INFORMATION

- 2.1 The Duty to Co-operate was introduced by section 110 of the Localism Act 2011, and sets out the legal test for the co-operation between local planning authorities and other public bodies. The purpose of this legal test is to maximise the effectiveness of policies for strategic matters in the preparation of Local Plans. What constitutes a 'strategic matter' is further defined within the National Planning Policy Framework (NPPF).
- 2.2 The Town and Country Planning Regulations 2012 identify the prescribed bodies that local planning authorities are required to engage with actively and on an ongoing basis. The intention of this requirement is to ensure that any identified strategic and cross-boundary issues have been addressed within Local Plans.
- 2.3 Paragraph 181 of the NPPF¹ provides guidance on the Duty to Co-operate, and requires local planning authorities to demonstrate how they have worked effectively and collaboratively with a range of organisations throughout the plan-making process. The Planning Practice Guidance (PPG) provides further detail on meeting the challenges of the Duty to Co-operate legal test². It is also clear that the Duty to Co-operate must be an iterative process right up to the point of submission of a Local Plan for independent examination, and it cannot be remedied after a draft Plan has been submitted.
- 2.4 Consequently the Duty to Co-operate has become an important legal test that is considered by Planning Inspectors in the independent examination of Local Plans. In the Council's experience this is the first test that Planning Inspectors will consider, and make a decision on, prior to the further consideration of the tests of soundness (which are set out in the NPPF). If a Council cannot

¹ <https://www.gov.uk/guidance/national-planning-policy-framework/plan-making>

² <https://www.gov.uk/guidance/duty-to-cooperate>

demonstrate to a Planning Inspector that it has satisfied the requirements of the Duty, then it is likely that the Inspector may recommend withdrawal of the draft Plan.

2.5 A Topic Paper on the Duty to Co-operate has been prepared to clearly set out the activities and engagement that the Council has undertaken over a number of years, which meet the requirements of this legal test. This includes the following:-

- Regular, active engagement with the other South Essex local planning authorities at the officer, head of service and Member level in particular;
- Responding to public consultations on those draft Local Plans which could have an impact on the district, including London;
- Commissioning and preparing joint evidence base documents to enable a wider spatial perspective on a range of strategic, cross-boundary matters such as housing and job needs;
- Engagement with other local planning authorities beyond South Essex, such as Chelmsford City Council and the London Borough of Havering; and
- Signing of a South Essex Memorandum of Understanding and a Statement of Common Ground.

2.6 The Duty to Co-operate Topic Paper has been prepared to form part of the evidence base to support the development of the new Local Plan. It is intended that this document will be updated throughout the plan-making process.

3 RISK IMPLICATIONS

3.1 The Duty to Co-operate is an important legal test which needs to be demonstrated throughout the plan-making process. The Topic Paper will assist interested parties in understanding how the Council has complied with the Duty to date, and how this will inform plan-making going forward. As such, it is important that the Council can clearly demonstrate at the independent examination stage how it has complied with the Duty.

4 RESOURCE IMPLICATIONS

4.1 The Council is required to discharge its responsibilities under the Duty to Co-operate throughout the plan-making process. Any outputs from the Duty, such as the preparation of joint evidence base documents or plans, Memorandums of Understanding or Statements of Common Ground, will need to be met from investments in the existing budget provision.

5 LEGAL IMPLICATIONS

- 5.1 Under section 110 of the Localism Act 2011 the Council is required to comply with the requirements of the Duty to Co-operate throughout the plan-making process; as set out elsewhere in the report.

6 RECOMMENDATION

- 6.1 It is proposed that the Sub-Committee **RESOLVES**

That the Duty to Co-operate Topic Paper 2017, as attached at Appendix A, be noted as evidence and published on the Council's website.



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Background Papers:-

None.

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Rochford District Council
Duty to Co-operate Topic
Paper 2017
Planning Policy Sub-Committee
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Contents

	Page
1 Introduction	4
2 Requirements of the Duty to Co-operate.....	4
3 RDC New Local Plan Progress	6
4 Planning Inspectorate.....	7
5 Co-operative Engagement	8
6 Consideration of Strategic Matters	12
Housing (including Gypsy and Travellers)	14
Economic Growth and Employment	15
Retail	16
Green Belt	16
Climate Change and Environment	17
Green Infrastructure/Green Grid	18
Transport and Access	18
Health and Well Being.....	21
Minerals and Waste.....	22
Communications Infrastructure	22
Education	22
7 Engagement with Key Infrastructure Providers	23
8 Summary	23
9 Next Steps.....	23
Appendix 1 – Record of Meetings	24
Appendix 2 – Meeting Frequencies.....	32
Appendix 3 – South Essex Structure	34

1 Introduction

- 1.1 Rochford District Council (RDC) has good and well established history of working together with neighbouring local authorities, Essex County Council (ECC) and other prescribed bodies on plan-making. This topic paper explains how RDC has fulfilled its requirements, to date, in relation to effective joint working as set out by the Duty to Co-operate under the Localism Act 2011.
- 1.2 Paragraph 181 of the National Planning Policy Framework (NPPF) makes it clear that Local Planning Authorities (LPAs) will be expected to demonstrate how the Council has worked effectively and collaboratively throughout the plan making process with a range of organisations to ensure that any identified strategic and cross boundary issues have been addressed within their Local Plans.
- 1.3 The Duty to Co-operate is an important legal test that is considered by Planning Inspectors during public examination of plans. The NPPF also advises that cooperation should be through a continual process of engagement from initial and early considerations through to implementation, resulting in a final position where sustainable plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.
- 1.4 This topic paper describes how issues that have required a greater degree of joint working have been considered and addressed; further detail is set out in **Appendix 1**. It should be read in conjunction with the new Local Plan: Issues and Options Consultation Document, the Infrastructure Delivery topic paper and other documents forming the evidence base for the new Local Plan.

2 Requirements of the Duty to Co-operate

- 2.1 The Localism Act came into effect in November 2011 and sets out the requirements that local authorities must fulfil in relation to the Duty to Co-operate. Section 110 of the Localism Act 2011 inserts the Duty to Co-operate in relation to sustainable development as a new section 33A of the Planning and Compulsory Purchase Act 2004. Under this Act, the Town and Country Planning Regulations 2012 identify the prescribed bodies (listed below) that local authorities are required to engage with actively and on an ongoing basis to maximise the effectiveness of local and marine plan preparation relating to strategic cross boundary matters.
 - Adjoining Authorities
 - Environment Agency
 - Historic and Monuments Commission for England (known as Historic England)
 - Natural England
 - Mayor of London
 - Civil Aviation Authority
 - Homes and Communities Agency
 - Office of the Rail Regulator

- Transport for London
 - Highways Agency
 - NHS Clinical Commissioning Group
 - NHS England
 - The Marine Management Organisation
- 2.2 The NPPF sets out the framework detailing the duty of Local Authorities and other public bodies to co-operate on cross boundary planning issues. It elaborates on how strategic planning matters should be addressed in local plans (paragraphs 178-181). The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities. LPAs are expected to work “collaboratively with other bodies to ensure that strategic priorities across local authority boundaries are properly coordinated and clearly reflected in local plans” (paragraph 179). ‘Strategic priorities’ to which LPAs should have particular regard are set out in paragraph 156 of the NPPF.
- 2.3 The ‘strategic priorities’ for an area when LPAs prepare Local Plans are defined as:
- The homes and jobs needed in the area;
 - The provision of retail, leisure and other commercial development;
 - The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - The provision of health, security, community and cultural infrastructure and other local facilities; and
 - Climate change mitigation and adaption, conservation and enhancement of the natural and historic environment, including landscape.
- 2.4 Paragraph 180 of the NPPF requires LPAs to take account of different geographic areas, including travel-to-work areas. In two tier areas, such as Rochford District, the LPA is expected to co-operate with ECC on relevant issues.
- 2.5 Specific guidance on how the Duty should be applied is included in the Planning Practice Guidance (PPG). This makes it clear that the Duty requires a proactive, ongoing and focussed approach to strategic matters. Constructive cooperation must be an integral part of plan preparation and result in clear policy outcomes which can be demonstrated through the examination process. The PPG makes it clear that the Duty to Co-operate requires cooperation in two tier LPA areas and states “Close cooperation between District LPAs and County Councils in two tier LPA areas will be critical to ensure that both tiers are effective when planning for strategic matters such as minerals, waste, transport and education.”¹

¹ Paragraph: 014, Reference ID: 9-014-20140306

- 2.6 Joint working should enable LPAs to work together on strategic planning priorities, to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of the NPPF. As part of this process, LPAs should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.
- 2.7 The Government expects LPAs to work effectively and collaboratively on strategic planning priorities to enable delivery of sustainable development in consultation with Local Enterprise Partnerships (LEPs) and Local Nature Partnerships (LNPs). LPAs should also work collaboratively with private sector bodies, utility and infrastructure providers.

3 New Local Plan Progress

- 3.1 To date the Council has adopted a full suite of policies which form the local development plan for the district. The Council is at the early stages of reviewing its local development plan to take account of changes at the national and local level, including new evidence. Key dates for the preparation of the Council’s new Local Plan are set out in Table 1. This timetable is taken from the Local Development Scheme dated October 2017.

Table 1 – Key dates for Rochford District new Local Plan

Stage	Target Date
Evidence base preparation	January 2015 onwards
Call for Sites	June 2015 – March 2016
Early community engagement	Autumn/Winter 2016
Issues and Options Document public consultation ²	Winter 2017
Preferred Options Document public consultation	Winter 2018/Spring 2019
Proposed Pre-Submission Document public consultation	Winter 2019/Spring 2020
Submission to Secretary of State for independent examination	Summer 2020
Examination hearings	Winter 2020
Inspector’s Report expected	Spring/Summer 2021
Adoption by Full Council	Spring/Summer 2021

² The Council is no longer required by legislation to prepare three formal documents for public consultation and engagement, however this is still considered to be the most appropriate approach for the preparation of the new Local Plan

4 Planning Inspectorate

- 4.1 The Planning Inspectorate's Local Plan Guidance³ sets out guidelines on how the Duty to Co-operate will be assessed during public examination. Paragraph 7 establishes that the Inspector will assess whether the LPA has met the Duty to Co-operate and will be seeking evidence of the following;
- 4.1.1 An expectation that the Duty to Co-operate is able to demonstrate active, ongoing and meaningful engagement with all other prescribed bodies and authorities, which ultimately results in concrete outcomes of co-operation as stated by the PPG. For instance, within the Strategic Housing Market Assessment (SHMA), evidence of co operation will be expected to demonstrate how the housing distribution and requirements within the 'Housing Market Area' have been apportioned to meet need, as evidenced within the South Essex Strategic Planning Memorandum of Understanding (MoU) which is considered later in this document⁴.
- 4.2 Any failure to meet the Duty cannot be rectified after the plan has been submitted for examination. Therefore any fundamental concerns on this matter shall be explored at the earliest possible stage by the Inspector, and so this is the first test that the Inspector will apply to a submitted plan during examination; whether there has been compliance with Duty to Co-operate through the need to demonstrate active, ongoing and meaningful engagement on strategic priorities with the relevant prescribed bodies.
- 4.3 In practice this means working closely with neighbouring local authorities, for example, on housing need through the preparation of a SHMA and working together to seek to meet this need, as far as possible, as set out in the South Essex Strategic Planning Memorandum of Understanding (MoU).
- 4.3.1 The consequences and potential risks to plan delivery of failing to meet the Duty should not be taken lightly. If an Inspector finds that the Duty has not been complied with, this could result in LPAs withdrawing their plan and having to restart the process from the 'point of failure' which may incur significant costs. As a result delays are likely to occur in plan production, possibly leading to lost opportunities, and in the worst case, inappropriate development and planning by appeal. This may then incur further costs for LPAs. There is also reputational risk.
- 4.4 There have been two key examples of failure to meet the Duty to Co-operate, through the examination of submitted draft Local Plans by the Planning Inspectorate.
- 4.4.1 A neighbouring LPA, Castle Point Borough Council, submitted its draft New Local Plan for examination on 25 August 2016. A hearing session solely on the Duty to Co-operate took place on 12 December 2016, mainly focussing on housing issues, following objections from LPAs in the HMA, including RDC, and detailed consideration of the draft new Local Plan and the process, evidence and procedures which informed it. The five South Essex LPAs and ECC prepared a Statement of Common Ground to set out the pattern of historic joint working between all LPAs to assist the Inspector's view on how the Duty has been applied across the HMA over a number of years.

³ Procedural Practice in the Examination of Local Plans, The Planning Inspectorate, June 2016 (4th Edition v.1)

⁴ www.rochford.gov.uk/new-local-plan-evidence-base

Following this hearing session, the Inspector concluded in his letter dated 5 January 2017⁵, and subsequent final report from 10 March 2017⁶, that Castle Point Borough Council had not complied with Duty to Co-operate and recommended non-adoption of the draft New Local Plan under Section 20(7A) of the Planning and Compulsory Purchase Act 2004 (as amended). The Inspector did, however, broadly endorse the historic and on-going programme of joint working between LPAs across the HMA as part of the Duty. Castle Point Borough Council subsequently withdrew their draft New Local Plan on 4 April 2017. The main lessons learnt from this examination are that the Government is very serious about authorities being able to demonstrate effective and ongoing engagement that results in concrete outcomes to address strategic cross-boundary issues. It also reinforces the fact that you cannot rectify a failure to comply with the Duty after you have submitted your plan. It needs to be an iterative process, demonstrated throughout plan preparation with clear outcomes.

- 4.4.2 Elsewhere in the country, St Albans City and District Council also submitted the St Albans draft Strategic Local Plan for examination in August 2016. An initial hearing session was held on 26 October 2016 to specifically explore the Duty to Co-operate. The Inspector⁷ found that the draft plan did not meet the Duty tests, emphasising that the Council needed to demonstrate that “no stone has been left unturned in the pursuit of co-operation” (paragraph 33). Broadly the reasons cited were that the draft plan did not set out the strategic priorities and that it was not based on effective joint working on strategic priorities. It therefore did not meet the legal requirements which are expanded upon in paragraphs 178 to 181 of the NPPF and the PPG. Due to the insufficient evidence, the Inspector also had concerns about the soundness of the plan although this did not directly form part of the Duty scrutiny.

5 Co-operative Engagement

- 5.1 RDC actively participates in many varying partnerships, boards and forums to influence and engage in the effective delivery of strategic objectives across a wider area. **Appendix 3** clarifies the relationships between the current partnerships operating in the area. The Council is committed to an iterative process to ensure that it is appropriately informed of any relevant issues that it could address as part of its own plan making and general Local Government functions. They include:

(a) **South East Local Enterprise Partnership (SELEP)**

SELEP is the largest Local Enterprise Partnership outside London, bringing together leaders from business, further and higher education, and local government across the four federated areas of Kent and Medway, East Sussex, South Essex (Opportunity South Essex) and Greater Essex. By exploring opportunities for, and addressing barriers to growth, SELEP aims to create an enterprising economy.

⁵ www.castlepoint.gov.uk/download.cfm?doc=docm93jjjm4n2870.pdf&ver=4522

⁶ www.castlepoint.gov.uk/download.cfm?doc=docm93jjjm4n2966.pdf&ver=4711

⁷ www.stalbans.gov.uk/Images/ID-7CONCLUSIONSlettertotheCouncil_tcm15-56449.pdf

RDC is an active member of SELEP and participates in all its activities, wherever possible. This has resulted in significant financial contributions by SELEP to help fund specific ambitious projects in and around the District. Examples of projects and cooperation include:

- Part funding the costs of setting up a new high-tech, high quality business park, situated to the north west of London Southend Airport. The business park forms part of a joint plan between RDC and Southend Borough Council – the London Southend Airport and Environs Joint Area Action Plan (or JAAP). This funding has been allocated to Southend Borough Council; however RDC and ECC will work cooperatively with Southend Borough Council to ensure the most effective use of this funding to deliver economic growth in the District.
- A127 Improvement Schemes, including the A127/A130 Fairglen Interchange, as part of the upgrade to this strategic transport corridor connecting South Essex to London, M25, and the A130 northwards towards Chelmsford city, and beyond.

SELEP has prepared its Strategic Economic Plan (2014) for the period 2014-2021 which sets out its aims for improving transport infrastructure and unlocking key locations to deliver growth⁸. This plan is now being revised.

(b) Essex and Greater Essex (including unitary authorities)

The 'Essex area' refers to the two tier administrative area of ECC and the 12 District/ Borough/City Councils, including RDC. Reference to Greater Essex comprises the above 'Essex area' and the two unitary authorities of Southend and Thurrock Borough Councils. As a two tier authority system, ECC is the authority responsible for key infrastructure services in the District; including highways, education, healthcare and communications. ECC is also the minerals and waste LPA. Co-operative working takes place on all of these areas to provide the best possible outcome and service.

Given ECC's important role in delivering key infrastructure services, we work closely with them on planning policy matters. ECC involvement at the LPA level includes:

- A key partner within Essex promoting economic development, regeneration, infrastructure delivery and new development throughout the County; and
- The strategic highway and transport authority, including responsibility for the delivery of the Essex Local Transport Plan and as the local highway authority; local education authority; Minerals and Waste Planning Authority; local lead flood authority; and a major provider of a wide range of local government services throughout the county of Essex.

⁸ www.southeastlep.com/images/uploads/resources/SECTION_2_South_East_LEP_-_Growth_Deal_and_Strategic_Economic_Plan_WEB-2.pdf

At the Greater Essex level, planning officers meet through the Essex Planning Officers Association⁹ (or EPOA) to share knowledge and best practice across the County; this includes discussions of areas of mutual interest such as appeals, local plan progress, Duty to Co-operate issues and consideration of joint responses to regional or national consultations. Joint evidence is also a consideration; projects such as the Greater Essex Growth and Infrastructure Framework (GIF) and the Gypsy and Traveller Accommodation Assessment (GTAA).

The Integrated County Strategy 2010 provides a shared vision for Greater Essex to identify priorities needed to retain and increase economic growth. RDC continues to inform such documents in a cooperative manner with its neighbouring authorities as part of the Duty to Co-operate.

ECC is the LPA for Minerals and Waste planning across the two tier area. The Replacement Minerals Local Plan (MLP)¹⁰ was prepared by ECC as the Minerals Planning Authority and forms part of the local development plan for RDC. The MLP was adopted on 8 July 2014, and it provides the planning policies for minerals development up to 2029, and identifies the locations of future minerals development in the county. It seeks to reduce the demand for primary mineral use, encourage more recycling of aggregate and safeguarding mineral resources, reserves and important facilities.

ECC as the Waste Planning Authority has separately prepared a joint Replacement Waste Local Plan (WLP)¹¹ with Southend Borough Council to replace the adopted Essex and Southend on Sea Waste Local Plan (2001). The draft Replacement WLP aims to set out the vision and policies for managing waste development in the county in the future. The draft Replacement WLP was submitted for examination in September 2016 and is currently at the main modification stage and the Inspectors Report is anticipated in April 2017, for subsequent adoption in July 2017 (subject to no soundness issues). The draft Replacement WLP includes a number of waste related development sites for waste treatment, recycling and disposal, as well as areas of search for future management facilities. The main modifications were subject to consultation in January 2017 and included the identification of an inert landfill site within Rochford District.

ECC is the Lead Local Flood Authority (LLFA) under the Flood and Water Management Act 2010. This means that their responsibilities include: managing local flood risk, prepare and maintain a strategy for local flood risk management and taking a leading role in emergency planning. The Essex Partnership for Flood Management (EPFM) was created in 2011 to encourage wider interaction and engagement by bringing together all key stakeholders, to address matters surrounding flooding in Essex. The board meets quarterly and

⁹ www.uttlesford.gov.uk/EssexPlanningOfficersAssociation

¹⁰ www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/minerals-development-document/Pages/Default.aspx

¹¹ www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/Pages/Replacement-Waste-Local-Plan.aspx

continues to contribute to a consistent and co-ordinated approach with regard to flood risk management. A Local Flood Risk Management Strategy was prepared and adopted in 2012. The LLFA has prepared a Sustainable Drainage Systems Design Guide¹² which was published in 2016.

ECC is the Highway Authority for the District, as part of the two tier authority system. Transport Boards have taken place over a number of years, which now includes the South Essex Economy and Infrastructure Board. Southend and Thurrock Borough Councils form part of this board as highway authorities in their own right. This was formerly known as the Thames Gateway South Essex Planning and Transport Board.

ECC is the Lead Education Authority for the District and will continue to work with and support Rochford on all related matters. ECC is responsible for assessing need and to commission any future school places to accommodate anticipated pupil growth within the RDC area, considering resource requirements. In order to effectively calculate projections for demand, ECC annually updates the Commissioning School Places in Essex (2016-2021)¹³ document. ECC is also responsible for implementing sustainable transport plans to and from the schools.

(c) **Opportunity South Essex (formerly South Essex Growth Partnership)**

The Thames Gateway South Essex (or TGSE) Partnership was the former arrangement, since followed by the South Essex Growth Partnership, and is now known as Opportunity South Essex (OSE). OSE sits within the SELEP area and is a collaborative partnership between the public (Local Authorities) and private (businesses) sector. **Appendix 3** provides clarity on the current structure and relationship of the bodies operating in South Essex.

OSE consists of the five South Essex Local Authorities; Basildon, Castle Point, Southend and Thurrock Borough Councils, and Rochford District Council, along with Essex County Council – all of which work together to assist the delivery of regeneration and planning in South Essex. The partnership of authorities holds meetings to discuss strategic issues in the South Essex sub-region. OSE, since 2015, has led monthly Economic Development Managers meetings which aim to promote the South Essex region and economy. An OSE Growth Strategy was produced and published in 2016 to support the delivery of the 2014 wider Essex Growth Strategy and SELEP's Strategic Economic Plan 2014-2021.

¹² www.essex.gov.uk/Environment%20Planning/Environment/local-environment/flooding/View-It/Documents/suds_design_guide.pdf

¹³ www.essex.gov.uk/Education-Schools/Schools/Delivering-Education-Essex/School-Organisation-Planning/Documents/CommissioningSchoolPlacesinEssex-2016-2021.pdf

(d) **South Essex**

The five South Essex authorities have worked together with ECC over a number of years to deliver and support joint strategic planning work, including shared evidence such as Strategic Housing Market Assessments (SHMAs) and Gypsy and Traveller Accommodation Assessments (GTAAs).

The planning officers across the five LPAs meet twice a month (South Essex Strategic Planning Officers Group); which consists of a meeting to discuss a wide variety of cross-boundary issues such as joint evidence progress, joint strategic plans, highways updates, and Local Plan progress; and a workshop to work through specific strategic issues. The work of this group is supported and overseen by a South Essex Strategic Planning Head of Service Group and South Essex Strategic Planning Members Group. The work of the South Essex Strategic Planning Officers Group has culminated in the preparation of a South Essex Strategic Planning Memorandum of Understanding (MoU) to provide a framework for across South Essex to set out the co-operation and engagement arrangements, roles and inter-relationships between the relevant authorities. A Duty to Co-operate Statement of Common Ground as part of Castle Point draft New Local Plan examination¹⁴. Other shared evidence that has been prepared includes revisions to the SHMAs, GTAAs, Economic Development Needs Assessments (EDNA), South Essex Retail Study (SERS) and Strategic Flood Risk Assessments (SFRAs).

RDC also meet with relevant neighbouring authorities at intervals to discuss plan-making progress, and relevant strategic cross-boundary issues such as housing, roads and jobs, to identify and agree specific outcomes. As an example, RDC has worked jointly with Southend Borough Council in the preparation of a joint plan – the London Southend Airport and Environs Joint Area Action Plan (or JAAP) to deliver new employment land in south east Essex and establish effective controls for this thriving regional airport.

6 Consideration of Strategic Matters

6.1 There are a number of mechanisms for co-operating on strategic matters, including:

- Shared evidence base documents and studies;
- A common or shared policy on a particular issue;
- Aligned plans with a number of common policies on some issues; and
- Joint plans with common policies on all issues.

¹⁴ www.castlepoint.gov.uk/download.cfm?doc=docm93jjjm4n2832.pdf&ver=4456

- 6.2 The five South Essex LPAs, and Essex County Council, have agreed and endorsed a Memorandum of Understanding (MoU) which identifies how the authorities' will work together on cross-boundary strategic planning issues and the key outputs this aims to deliver. The South Essex MoU was formally signed by RDC on 22 March 2017. This includes producing:
- a joint evidence base;
 - a joint Strategic Planning Framework;
 - a joint Cooperation Monitoring Report;
 - a joint Statement of Cooperation; and
 - further MoUs, as appropriate.
- 6.3 The cross-boundary strategic matters that have been agreed by the five South Essex LPAs and ECC are set out in the Statement of Common Ground which was presented to the Inspector conducting the Castle Point Borough Council draft New Local Plan examination in December 2016. These are as follows:
- Housing (including Gypsy and Travellers)
 - Economic Growth and Employment
 - Retail
 - Green Belt
 - Climate Change
 - Green Infrastructure/Green Grid
 - Transport and Access
 - Health and Well Being
 - Minerals and waste
 - Communications Infrastructure
- 6.4 In his initial letter to Castle Point Borough Council dated 5 January 2017, the Inspector endorsed the process that the five South Essex authorities and ECC have taken to date, and are looking to move forward in the future. The Inspector advocates constructive engagement between the authorities, and recognises that this goes beyond the preparation of a joint evidence base. It also recommends effective strategic planning policies and a positive approach. Given the Duty hearing session held in December 2016 primarily focussed on housing matters, the Inspector suggests that a formal mechanism needs to be put in place to address any potential unmet housing need across South Essex.

- 6.5 Details on the cross-boundary strategic matters, by category have been set out below. The extensive list demonstrates the strong working relationship between LPAs, and other relevant bodies, in South Essex.

Housing (including Gypsy and Travellers)

- 6.6 Rochford District forms part of the South Essex Housing Market Area (HMA) and has strong links with its surrounding authorities in terms of housing. Although the Duty only came into effect in 2012, monthly meetings of planning officers have taken place since 2008, within the former TGSE Planning and Transport Board, to discuss the strategic planning issues, in conjunction with ECC (see **Appendix 1** for more detailed information on the meetings). This on-going engagement between the authorities has facilitated cross-boundary co-operation through the preparation of joint evidence base work to inform local plan making. This is an approach which has been endorsed by the Inspector conducting the Castle Point Borough Council draft New Local Plan examination. Regular meetings are held by the Essex Planning Officers Association (EPOA), South Essex Strategic Planning Officers group, South Essex Heads of Service group and South Essex Members group to discuss strategic housing issues and all of the resultant issues that arise from the need to deliver new homes within this HMA. Key outcomes from these meetings to date include exploring opportunities to deliver a Strategic Planning and Infrastructure Framework (SPIF) and working together to prepare joint strategic evidence. The agreed structure for joint working and engagement, as a result of these meetings, is set out in the South Essex Strategic Planning Memorandum of Understanding (MoU),
- 6.7 Collectively the South Essex authorities are working together to address housing need at the sub-regional level, through exploring options for a mechanism to address any potential unmet housing need across South Essex. In addition RDC will continue its current approach to work with other authorities outside the South Essex HMA, through individual and group meeting, to discuss cross-boundary issues, including Chelmsford City Council and Maldon District Council in particular.
- 6.8 Co-operation between the five South Essex authorities and ECC has resulted in comprehensive housing evidence being prepared across the HMA. This includes the Strategic Housing Market Assessment (SHMA) and the Gypsy and Traveller Accommodation Assessment (GTAA) (see **Appendix 1** for further information on each of the documents). Following the guidelines of the PPG, it has been determined that the South Essex authorities share one Housing Market Area (HMA) and therefore the authorities within the region have a responsibility to address housing need at a larger scale than within the confines of their own boundaries. This SHMA represents an appropriate area which allows for a robust assessment. Once the robust HMA was identified, the process of calculating the Objectively Assessed Need (OAN) of the HMA could go ahead to determine that approximately 2,886 dwellings per annum over the period from 2014 to 2037 would be needed¹⁵. The SHMA also identifies a need for affordable housing, and specialist housing for older people aged over 75 years, and those under the age of 75 requiring additional support. Parts of the 2016 SHMA have been updated with the 2017 SHMA Addendum¹⁶.

¹⁵ www.rochford.gov.uk/sites/default/files/SE_strategichousing_2016.pdf

¹⁶ www.tgessex.co.uk/downloads/Addendum_to_the_South_Essex_SHMA_May_17.pdf

- 6.9 ECC is responsible for Adult Social Care and within this function ECC has jointly developed the Independent Living Position Statement¹⁷ in conjunction with the Essex Councils Housing teams for Older People and for Adults with Disabilities. The purpose of the strategy is to identify and invest in future need to create attractive, self-contained housing with 24/7 care for those with needs of over six hours a week of care. This information has helped inform the SHMA.
- 6.10 RDC also regularly attends meetings of the Essex Planning Officers Association (EPOA) where housing issues across the county are discussed. The EPOA group have – over a number of years – commissioned Gypsy and Traveller assessment across the county. The first Gypsy and Traveller Accommodation Assessment (GTAA) was undertaken in 2006 and there have been a number of iterations since. A revision to our 2014 GTAA¹⁸ has been commissioned by the EPOA, on behalf of the Essex authorities, with input from all the authorities following a change in definition in the national Planning Policy for Travellers Sites (PPTS). This joined-up approach has proved to be beneficial in identifying the needs for Gypsy and Traveller sites across the county. RDC is also an active member of the Essex Countywide Gypsy and Traveller Unit.

Economic Growth and Employment

- 6.11 Rochford, due to its small economy, experiences high levels of out-commuting to neighbouring areas. However as part of the planned approach to deliver new local job opportunities in proximity to London Southend Airport, RDC worked in partnership with Southend Borough Council over a number of years to deliver a joint plan for a new high-quality business park and appropriate controls for the airport, as it grows. The London Southend Airport and Environs Joint Area Action Plan (or JAAP), which was adopted in 2014, outlines plans for an additional 99,000sq.m of employment floorspace on a new business park following the successful expansion of London Southend Airport.
- 6.12 Opportunity South Essex (OSE) is a public/private partnership between the five South Essex LPAs, including RDC, and ECC, and business representatives focusing on supporting and lobbying for improvements to support growth of South Essex economy. The South Essex Growth Strategy 2016 seeks to support and promote the diversity and growth of the South Essex economy. RDC is an active part of OSE through the EDM meetings which take place on a regular basis and through the OSE board. This group has overseen SELEP bids for funding (and has been successful in securing monies to support the development of the new business park, and improvements at the Fair Glen Interchange on the A127).

¹⁷ www.essex.gov.uk/Business-Partners/Partners/Adult-Social-Care-providers/Documents/Independent-Living-Programme-Position-Statement.pdf

¹⁸ www.rochford.gov.uk/sites/default/files/2014%2007%202016%20Essex%20GTAA%20Final%20Report.pdf

- 6.13 Economic growth and employment is a strategic issue forms part of discussions at the South Essex Strategic Planning Officers group, South Essex Heads of Service group and South Essex Members group. A key output from these groups has been the commissioning of strategic evidence to support spatial planning across the sub-region, including an Economic Development Needs Assessment (EDNA). This will help inform the preparation of the Strategic Planning and Infrastructure Framework (SPIF), alongside other evidence including the SHMA.
- 6.14 Evidence base documents which have been prepared in collaboration with other prescribed bodies in relation to economic growth and employment include:
- The Greater Essex Integrated County Strategy 2010;
 - Economic plan for Essex 2014;
 - Greater Essex Demographic Forecasts 2013-2037
 - Greater Essex Growth and Infrastructure Framework

Retail

- 6.15 Rochford District currently has poor expenditure retention with significant comparison expenditure leaking to out-of-District centres, especially Southend. The primary retail centre in the District is Rayleigh in which expenditure retention levels are at the highest found in the District, followed by Rochford and Hockley town centres.
- 6.16 As part of discussions at the South Essex Strategic Planning Officers group, South Essex Heads of Service group and South Essex Members group around retail, work on a South Essex Retail Study (SERS) was commissioned to assess the retail needs of the South Essex region and identify a strategy going forward. Again, this evidence will help inform the preparation of the Strategic Planning and Infrastructure Framework (SPIF), alongside other evidence.

Green Belt

- 6.17 The Metropolitan Green Belt extends eastwards from London across the five local authority areas of Thurrock, Basildon, Castle Point, Southend and Rochford, and was formally designated in the 1982 Essex Structure Plan. South Essex subsequently has an extensive history of applying Green Belt policies. The fundamental objective of the Green Belt is to ensure that land remains open to prevent urban sprawl. Across South Essex the Green Belt continues to perform an important strategic role in containing urban development, limiting development which would undermine the openness of the Green Belt, and preventing coalescence between settlements both within and between local authority areas, whilst assisting in the delivery of sustainable patterns of development.
- 6.18 There are a number of strategic issues when it comes to the Green Belt in order to preserve its five purposes effectively. The Green Belt forms an important separation between the settlements both within the District – and in neighbouring areas. The retention of this strategic Green Belt is of key importance to prevent coalescence of the towns and villages. The Green Belt – and meeting housing, employment and infrastructure needs – have formed a key part of the South Essex Strategic Planning Officers group, South Essex Heads of Service group and South Essex Members group. This is an issue which will be considered further at the strategic level in the preparation of the Strategic Planning and Infrastructure Framework (SPIF).

Climate Change and Environment

- 6.19 Joint working has taken place with the non-prescribed body – RSPB on the management and progress of Wallasea Island Nature Reserve.
- 6.20 The Marine Management Organisation (MMO) is the marine planning authority for England and is therefore responsible for marine plans. The marine plan related to the Rochford District is the East inshore plan which is still at the preparation stage and therefore has not informed the Local Plan to date.
- 6.21 Rochford District plays an active part in Shoreline Management Plan meetings for the Essex and Suffolk area, by attending annual meetings with other authorities in the Essex and Suffolk region. Having a significant shoreline area along the northern and eastern boundaries of the Rochford District, many of the issues will apply to RDC, including, but not limited to; flood defences, waste, coastal erosion, flood warning systems and habitats.
- 6.22 ECC, as the LLFA, is responsible for groundwater flooding, surface water (rainfall) runoff and ordinary watercourses (streams and ditches). ECC seeks to prioritise the use of sustainable drainage systems (SUDS) for all new developments. ECC is consulted on every SUDS application received in the Rochford District, to assist with the accurate determination of each application in accordance with the LLFA's position.
- 6.23 As part of the new Local Plan joint evidence base, the following documents have been produced, or are to be produced:
- **Environmental Capacity Study** – RDC presented its Environmental Capacity Study 2015 to neighbouring Local Authorities, ECC and key stakeholders. The purpose of the study is to identify the capacity of the environment in the District to cope with further development, taking into consideration the environmental constraints in the locality such as flood risk, areas of important biodiversity.
 - **Strategic Flood Risk Assessment (SFRA)** – The existing SFRA dates back to 2011. A review of this SFRA is underway in South Essex (excluding Thurrock Borough Council), led by the LPAs and overseen by the Environment Agency, and Essex County Council. This review was triggered by the release of updated climate change allowances by the Environment Agency in 2016, and once completed will supersede the previous study.
 - **Water Cycle Study** – The most recently completed Water Cycle Study 2011 was put together by URS Scott Wilson Ltd for the use of Basildon, Castle Point and Rochford Councils, with ECC. Joint working for this project was vital due to the unrestricted nature of a water course.
 - **Surface Water Management Plan** – Completed in 2012, the Surface Water Management Plan has been composed by URS Scott Wilson Ltd for use by Basildon Borough, Rochford District, Castle Point Borough and ECC, with some input into assessments by Anglian Water and the Environment Agency. The document produced models such as the surface water hydraulic model to identify mechanisms of surface water flooding and enable an intermediate level risk assessment of surface water flood risk in the study area. The models have all been recently updated to accommodate updated climate change data.

- 6.24 More recently RDC has sought to engage the Environment Agency, Historic England and Natural England on the Sustainability Appraisal Scoping Report for the new Local Plan.

Green Infrastructure/Green Grid

- 6.25 The Green Grid Strategy 2005 considers Rochford and Southend together into a Strategic Area Framework and amongst other things highlights the following as one of the key strategic issues between the two local authority areas. The area north of the A127/A1159/A13 (east) is predominantly rural with these roads creating a physical barrier between the rural and urban areas. Co-operative work will be needed in order to resolve the need for improvement to north/south links that promote safe and accessible alternatives to the car.
- 6.26 The Transport Modelling Report, produced as part of the JAAP evidence base has identified the need to reduce the dependency on private car travel. One of the identified methods is to aid the delivery of greenways identified in the Thames Gateway Green Grid Strategy. Many green infrastructure projects have been progressed as part of the JAAP including exploring options for walking and cycling, including the proposed National Cycle Network Route 135 – detailed in the Transport and Access section below.
- 6.27 A review of the existing Playing Pitch Strategies (PPS) and Built Facility Strategies (BFS) is underway between Basildon, Castle Point, and Southend Borough, Rochford District and Essex County Councils. The new and updated evidence is to be used to accurately inform strategic spatial planning within each authority's Local Plan and the approach to the provision of Sport England facilities in these authority areas.

Transport and Access

- 6.28 RDC and ECC are currently jointly preparing a baseline study looking at existing congestion hotspots which will form the basis of more detailed modelling work in the future, set out in the Highways Baseline Technical Note 2017. The future modelling will explore the options and mitigation measures available for the highway going forward as the new Local Plan progresses.
- 6.29 The three highways authorities in South Essex are Essex County Council, Southend Borough Council and Thurrock Borough Council – the latter two being unitary authorities. ECC is the lead highways authority in the Rochford District, under the two-tier authority system. Joint working, with ECC as lead, between Rochford District and its neighbouring Local Authorities, and in co-operation with Southend and Thurrock Borough Councils as Unitary Authorities, is key to the development of effective highways and strategic routes in the new Local Plan.
- 6.30 The TGSE Planning and Transport Board was made up of South Essex's Cabinet Members for Planning. On 12 July 2012, its Terms of Reference changed following recommendation to include; facilitating the achievement of the Duty to Co-operate amongst South Essex authorities. This board approved the Thames Gateway South Essex Planning and Transport Strategy in October 2013 to enable the effective delivery in South Essex of; economic growth, environmental protection, accessibility, safety and health, and quality of life. This board is no longer a functioning body, following the rebranding of Thames Gateway South Essex to OSE. As such there is now a South Essex Strategic Economy and Infrastructure Board that meets on a regular basis.

- 6.31 At the South Essex level, the South Essex Strategic Planning Groups at three levels; Planning Members, Heads of Service and planning officers meet on a regular basis. All groups are attended by representatives from the six authorities (Basildon, Castle Point, Southend and Thurrock Borough, Rochford District and Essex County Councils) and discuss a wide range of strategic issues including transport, housing, employment, green belt, healthcare and education. The purpose of the Planning Member Group is to oversee and agree documents and evidence produced jointly by planning officers. As of March 2017, the South Essex Strategic Planning Memorandum of Understanding (MoU) has been agreed and formally signed by the six authorities. The MoU will set the framework for any joint working between the six authorities in the future; in essence how the authorities will co-operate and meet the requirements of the Duty.
- 6.32 ECC, supported by the EPOA, has produced a third revision of The Essex County Council Developers' Guide to Infrastructure Contributions (2016)¹⁹. This document is concerned with the cumulative impact of development, as such, it is expected that developers work with ECC to design infrastructure to complement and sustain the integrity of the highway network. Achieving the right balance between meeting need and conserving the local community fabric is a key theme throughout the document. The County Council's view is that a holistic approach be taken to development in Essex, allowing proper assessment of impact and enabling resistance to speculative development proposals.
- 6.33 Rochford District has taken a direct approach when consulting over rail matters. Strategic planning considerations are considered best discussed directly with other bodies involved in strategic transport planning. For example, rather than engage with the Office of the Rail Regulator, National Rail have been directly contacted to determine options for the future and resolve issues with rail services and other matters on national rail land, such as with the many out-dated rail bridges in the District. Rail is a strategic cross boundary issue on private land, which results in the obvious need of cooperative work to enable to rail to function effectively and efficiently. The Essex Transport Strategy: the Local Transport Plan for Essex 2011²⁰ reinforces the claim that cooperative work is necessary by setting out its strategic transport priorities, in which one of these aims is an enhanced local role in the rail franchise to support an effective service and cut journey times. The Integrated County Strategy covering Greater Essex also seeks to achieve the maximisation of rail capacity, to accomplish its main theme of 'sustainable connectivity', contributing to economic growth.
- 6.34 A Growth and Infrastructure Framework (or GIF) has been prepared at the Greater Essex level. The GIF discusses strategic matters such as health, education, highways, communications and utilities. The GIF also identifies the importance of the Duty to Co-operate as the Greater Essex area is interconnected and the areas are interdependent with one another. Therefore sharing and creating evidence base documents across the wider geographical area makes for a more efficient and robust process, with opportunity for enhanced collaboration into the future.
- 6.35 Monitoring the surface access to London Southend Airport – As part of the conditions of granting planning approval for the extension of London Southend Airport's runway

¹⁹ www.essex.gov.uk/Environment%20Planning/Development-in-Essex/Documents/Developers-guide.pdf

²⁰ www.rochford.gov.uk/sites/default/files/documents/files/planning_transportplan_JAAP13.pdf

in 2010, an Airport Surface Access Strategy (ASAS) has been developed following detailed consultation with ECC, RDC and SBC and the Airport Transport Forum to provide a strategy which focuses on improving public transport and finding ways to encourage passengers, new and existing staff to use sustainable modes for their journeys to and from the airport. The ASA is under periodic review to ensure it remains up to date and innovative. To ensure of this, RDC is an active member of the Airport Transport Liaison Group.

- 6.36 Proposed NCN135 (Southend to Stock) cycle route draft strategy has been worked jointly between Southend Borough, Essex County and RDCs. Ringway Jacobs (ECC partner) also reviewed the Rochford and Wallasea cycling Strategies and proposed routes. JAAP area cycling feasibility study meetings have been held between Rochford District, Essex County and Southend Borough Councils to determine the opportunities and explore the options to enhance cycle access to and around the JAAP area.
- 6.37 An Essex Local Transport Plan was prepared in 2011 by ECC as the Highway authority for most of the County including Rochford District. The document sets out the travel improvements plan covering a 15 year period to ensure we have the most efficient use of our transport network. The plan also states that the County Council will work jointly with District and borough authorities to develop effective and deliverable Air Quality Action Plans where air quality is poor as a result of transport-related sources of pollution²¹. Meetings with ECC to further develop their Local Transport Plan have included involvement in the A127 Corridor for Growth refresh study for the short and long term options for the strategic route.
- 6.38 The A127 Corridor for Growth was prepared jointly by Essex County and Southend Borough Council as the highways authorities responsible for the A127. The capacity of the A127 directly impacts on the Rochford District and forms a key strategic route for Rayleigh and to the JAAP area, via Nestuda Way. Issues with the A127 can have an impact on the local road network in Rochford District and other neighbouring areas. Therefore the efficiency of the A127 route is of key concern and interest to Rochford. This strategy is being updated.
- 6.39 The A127 corridor is also a vital artery to economic competitiveness of the South Essex sub-region, which includes the Rochford District. Therefore the efficiency of the A127 from an economic development perspective is crucial, and it is vital the route is well maintained as a regularly congested or cumbersome strategic transport network can have disastrous consequences on the economic development of the region. The Council has engaged with the other South Essex authorities as part of the Duty to Co-operate on the issue of the strategic road network, particularly the A127. The Council has also co-operated with authorities further afield with a common interest in the A127, including Brentwood Borough and the London Borough of Havering. In October 2017 this culminated in eight authorities signing a Statement of Common Ground with the London Borough of Havering, specifically on this issue²².

²¹ www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/Documents/WPA%203%20-%20Essex_Transport_Strategy_June_2011.pdf

²² www.rochford.gov.uk/new-local-plan-evidence-base

- 6.40 The Parking Standards Design and Good Practice Supplementary Planning Document was produced by ECC in 2009 in partnership with the EPOA. This document was consulted on and is used within Rochford District as a Supplementary Planning Document to provide guidance to developers.
- 6.41 TGSE planning and transport strategy 2013 – A document produced by the five South Essex authorities to set out the vision for “providing a better quality of life for the population by developing and maintaining a sustainable transport system that promotes growth and strengthens provision for all users”²³.
- 6.42 An A13 Route Based Management Strategy, similarly to the A127 Corridor for Growth, is being reviewed to monitor its capacity and flow, in order to identify appropriate workable solutions to the issues identified. The costings of implementing these workable solutions are also under assessment.
- 6.43 RDC has worked with ECC on the development of its CIL. The CIL Report is in its very early stages and will need to be updated based on the existing evidence base. Further information on the CIL, such as the infrastructure funding gap assessment will be included within the Infrastructure Delivery Plan (IDP).

Health and Well Being

- 6.44 Within the creation of the current local development plan, RDC worked jointly with NHS England to identify the healthcare needs for the District. Cooperation occurred in that the Clinical Commissioning Group (CCG) was and will continue to be consulted on all large planning applications including those allocations made on the allocations plan to ensure that all contributions made from S106 agreements are sufficient to offset any impact on healthcare from the development of new homes.
- 6.45 The Strategic Estates Project Board was set up in 2016 by the Castle Point and Rochford CCG to;
- Develop, review and provide oversight to key projects and work plans;
 - Ensure business cases are approved by all stakeholders;
 - Ensure projects achieve the best value for money and operational performance possible, and assurances of these;
 - Ensure appropriate funding is identified, secured and approved for each stage of projects;
 - Review and approval of project pipeline;
 - Oversight on consultation and engagement.
- 6.46 RDC is part of this Board and also sits on the South East Essex Estates Group to work in partnership with the NHS and CCG to influence healthcare planning and improve future healthcare provision in the District.

²³ www.rochford.gov.uk/sites/default/files/documents/files/planning_jaap_exj007d_tgse.pdf

- 6.47 More locally, an Air Quality Management Area has been designated in Rayleigh Town Centre in 2015. An Air Quality Action Plan is due to be adopted, which sets out how the Council will work with its partners to improve air quality within the town.

Minerals and Waste

- 6.48 ECC is the minerals and waste planning authority across the two tier area; Thurrock and Southend Borough Councils – as unitary authorities – are responsible for this planning function. A Replacement Minerals Local Plan (MLP)²⁴ was prepared by ECC, which forms part of the local development plan for RDC. The MLP was adopted on 8 July 2014. This Plan provides planning policies for minerals development up to 2029 and identifies the locations of future minerals development in the county. It seeks to reduce the demand for primary mineral use, encourage more recycling of aggregate and safeguarding mineral resources, reserves and important facilities. The Council worked closely with the relevant authorities taking part in one-to-one or group meetings, workshops and responding to consultations.

A Replacement Waste Local Plan (WLP)²⁵ has also been prepared to replace the 2001 Essex Waste Local Plan. The WLP aims to set out the vision and policies for managing waste development in the county in the future. The draft WLP identifies a number of sites for waste treatment, recycling and disposal, as well as areas of search for future management facilities. One inert landfill site recommended to be included for waste disposal by the Planning Inspector falls within Rochford District, which was consulted upon as part of the Main Modifications consultation in January 2017. RDC has actively participated in its development taking part in one-to-one or group meetings, workshops and responding to consultations. The draft WLP was submitted for examination in September 2016 and is currently at the main modification stage. It is anticipated that the Planning Inspector will issue her final report, which will include conclusions and recommendations, in April 2017, with subsequent adoption – subject to no soundness issues – in July 2017.

Communications Infrastructure

- 6.49 Superfast Essex is part of the Superfast Britain Programme coordinated by Essex County Council. The programme is funded and delivered by Broadband Delivery UK (BDUK), BT, Gigaclear, ECC and some Local Authorities. The programme is looking to upgrade and deliver new Fibre Optic broadband cable capacity to those areas identified as lacking to boost speeds up to 24Mbps to all areas of Essex, being rolled out throughout 2017/18. Areas identified as not needing an upgrade can apply to the scheme for an upgrade.

Education

- 6.50 RDC is currently liaising with ECC to determine its baseline position on the movement of pupils between Southend Borough, Castle Point and Rochford District. The cross-boundary movement of pupils is a key issue for RDC and will continue to be topical into the future. A topic paper is being prepared as a result of early engagement flagging up the issues mentioned.

²⁴ www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/minerals-development-document/Pages/Default.aspx

²⁵ www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/Pages/Replacement-Waste-Local-Plan.aspx

7 Engagement with Key Infrastructure Providers

- 7.1 The Infrastructure Delivery Plan (IDP) is currently in the form of a topic paper with the final version to be completed later on in the new Local Plan's development. Its purpose is to set out the baseline infrastructure delivery position in relation to the current local development plan. The IDP will also form part of the new Local Plan evidence base, setting out the long term spatial vision for the District and strategic policies for delivering that vision in co-operation with the District's infrastructure providers.

8 Summary

- 8.1 The Council considers it has positively fulfilled its responsibilities through Duty to Co-operate legislation, to date, as demonstrated by the information outlined within this topic paper and will continue to do so in the future. The Council has worked jointly with neighbouring authorities, ECC and prescribed bodies throughout the early stages of the new Local Plan in a comprehensive and strategic fashion and on an ongoing basis to maximise the effectiveness of plan-making. To ensure that cooperation continues throughout the plan period, working arrangements have been, and will continue to be, determined between the relevant parties. This is reflected in the South Essex Strategic Planning Memorandum of Understanding (MoU) between the Council and neighbouring authorities.

9 Next Steps

- 9.1 The new Local Plan will guide development and growth in Rochford District's administrative area for the period up to 2036. It will provide the Councils vision, objectives and spatial strategy.
- 9.2 Throughout the process of creating the new local plan, up to and beyond adoption, cooperation and joint working with neighbouring authorities, ECC and other prescribed bodies will need to continue in the same constructive, active and on-going manner. In order to achieve this, future topic papers shall be written to keep monitoring the effective cooperation between all bodies.
- 9.3 RDC has a good history of working with other bodies to address cross-boundary matters. The Duty to Co-operate is not a duty to agree, however, the Council will continue to make every effort to ensure that cross-boundary strategic planning matters are properly addressed.
- 9.4 Prior to the adoption of the new Local Plan, a Duty to Co-operate Scoping Report will be published stating all the ways in which the Council has co-operated with other bodies to address each strategic matter, and methods used, timescales and key outputs.
- 9.5 Prior to the adoption of the new Local Plan, a Compliance Statement shall be submitted detailing all the ways in which the Council has co-operated with the relevant bodies and authorities in order to pass the examination stage without any challenges.

Appendix 1 – Record of Meetings

The table below details series of Duty to Co-operate meetings – as of May 2017 – attended by RDC on strategic planning matters with other neighbouring Authorities and prescribed bodies, often relating to the production of specific documents and outcomes.

The abbreviations listed in the table are clarified below:

ARU	– Anglia Ruskin University
AW	– Anglian Water
BBC	– Basildon Borough Council
BEST	– Business Essex, Southend and Thurrock
CAVS	– Castle Point Association of Voluntary Services
CBC	– Colchester Borough Council
CCC	– Chelmsford City Council
CPBC	– Castle Point Borough Council
DWP	– Department for Work and Pensions
EA	– Environment Agency
ECC	– Essex County Council
ECEA	– Essex Chief Executive Association
EPOA	– Essex Planning Officers Association
LoCASE	– Low Carbon Across the South East
MDC	– Maldon District Council
NFU	– National Farmers Union
OSE	– Opportunity South Essex
RCCE	– Rural Community Council of Essex
RDC	– Rochford District Council
SOSBC	– Southend-on-Sea Borough Council
TBC	– Thurrock Borough Council
TDC	– Tendering District Council
TGSE	– Thames Gateway South Essex

Rochford District Council – Duty to Co-operate Topic Paper

Topic	Date	Partners	Output	Commentary/ Status
Housing	2008, 2010, 2013, 2015, 2016	BBC, CPBC, RDC, SOSBC, TBC, ECC	South Essex SHMA	2013 and 2016 both completed. Further update currently underway to reflect latest 2014 based data.
	2015	Essex excluding SOSBC and TBC	ECC Independent Living Programme	Completed.
Gypsy and Traveller accommodation	2009	Greater Essex excluding TBC	Essex Gypsy and Traveller Accommodation Assessment	Completed in 2009
	2014	Greater Essex excluding BBC	Essex Gypsy, Traveller and Travelling Showpeople Accommodation Assessment	Completed in 2014
	2014	ECC Representatives	Gypsy and Traveller Workshop	Workshop
	2016	Greater Essex excluding BBC	Essex Gypsy, Traveller and Travelling Showpeople Accommodation Assessment Update	Update work underway to take account of changes in definitions in the PPS for Traveller Sites (August 2015).
Economic Growth and Employment	2010	Greater Essex and ECEA	Greater Essex Integrated County Strategy	Completed. Superseded by Economic Plan for Essex.
	2011 – Present (Quarterly)	CPBC, CAVS, 3 Chambers, SEEVIC College, DWP	To discuss any skills gaps, needs from industry, career options within schools and address some of these issues through partnership working.	Employment Skills and Business Group (ESB) meetings
	2011 – Present (Quarterly)	RCCE, ECC, District LA's, Parish Councils, NFU	To produce the Rural Strategy in consultation with partners and give our rural communities a voice to ensure sustainability.	Essex Rural Partnership meetings

Rochford District Council – Duty to Co-operate Topic Paper

Topic	Date	Partners	Output	Commentary/ Status
	2011 – Present (Quarterly)	Rayleigh, Rochford and Hockley Chambers of Trade, Essex Chambers of Trade, Federation of Small Businesses, ESB Chair	An opportunity for local business leaders to meet with the Leadership Team at RDC to develop ideas and joint ways of working that will promote growth within the District.	Local Business Representatives meetings
	2011 – Present (Quarterly)	Visit Essex, ECC, District LA's	A greater Essex meeting to discuss tourism related activities	Tourism Officers Group meeting
	2014 – Present (Bi-Monthly)	London Southend Airport, SOSBC, CPBC, MDC, Residents groups	An opportunity for London Southend Airport to formally consult ongoing operational matters with the local community and stakeholders	Airport Consultative Committee meetings
	2014 – Present (Bi-Monthly)	ECC, Greater Essex authorities, BEST, LoCASE	To obtain a Greater Essex picture of the economic growth landscape and explore opportunities for collaborative working	County Economic Development Officers meetings
	2014 – Present (Quarterly)	ECC, Greater Essex authorities, RSPB, Essex and Suffolk Water	To discuss matters affecting the coast.	Essex Coastal Forum meetings
	2014	BBC, CPBC, RDC, SOSBC, TBC and ECC	Economic Plan for Essex	Completed. 2016/17 update underway
	2015 – Present (Monthly)	OSE, CPBC, SOSBC, TBC, BBC	Led by Opportunity South Essex, working with the private sector to best promote South Essex	Economic Development Managers meetings
	2015 – Present (Monthly)	ECC, Greater Essex authorities, ARU, OSE	Greater Essex partnership to discuss key issues coming down from Central Government and monitor the pipeline of projects requiring funding	Integrated Growth Forum (IGF) meetings

Rochford District Council – Duty to Co-operate Topic Paper

Topic	Date	Partners	Output	Commentary/ Status
	2015 – Present (Monthly)	MDC, ECC, Crouch Harbour Authority, Parish Councils, RSPB	To produce an Economic Action Plan to assist economic growth in the River Crouch area. Delivering projects to help achieve continued growth	River Crouch Coastal Community Team and sub-groups meetings
	2015 – Present (Bi Monthly)	CPBC, SOSBC, TBC, BBC, BEST	South Essex focus on projects to encourage economic growth and ideas for cross boundary working	South Essex EDO's meetings
	2015 – Present (Quarterly)	RCCE, Braintree BC, CCC, MDC, NFU, Local Farmers, Local Businesses	The panel that considers the applications for LEADER funding in Essex Rivers area	Essex Rivers Local Action Group meetings
	2015	RDC, ECC	Rayleigh Area Action Plan	Completed.
	2015	TGSE authorities	Economic development and retail workshop	Workshop
	2013, 2016	BBC, CPBC, RDC, SOSBC, TBC and ECC	South Essex SHMA	2013 and 2016 both completed. Further update currently underway to reflect latest 2014 based data.
	2012, 2013, 2014, and 2015 (Irregular)	EPOA, Greater Essex plus parts of Cambridgeshire, Hertfordshire and Suffolk	Greater Essex Demographic Forecasts	2012, 2013, 2014, and 2015 all completed.
	2016 – Present (Quarterly)	National Maritime Development Group (NMDG), Kent CC, MDC, SOSBC, TBC, Kent coastal LA's	A partnership to discuss opportunities that will best ensure economic growth of the Maritime industry based in the Thames estuary and surrounding coastlines	Blue Council meetings
	2016	Greater Essex	Greater Essex Growth and Infrastructure Framework workshop	Workshop

Rochford District Council – Duty to Co-operate Topic Paper

Topic	Date	Partners	Output	Commentary/ Status
	2016	East of England including Greater Essex	East of England Forecasting Model	Completed
	2016/7	BBC, CPBC, RDC, SOSBC, TBC and ECC	South Essex Economic Development Needs Assessment	Work Underway
	2016/7	BBC, CPBC, RDC, SOSBC, and TBC	South Essex Retail Needs Assessment	Work Underway
Green Belt	2015	TGSE, ECC	Commenced work on strategic themes work (Green Belt chapter) to form part of the statement of cooperation across TGSE.	Work Underway
	2015	TBC and neighbouring authorities, ECC	Thurrock Green Belt Study workshop	Workshop
	2015	TGSE authorities	Green Belt scoping workshop with other TGSE authorities	Workshop
Climate Change/ Environment	2005 – Present (Annual meetings)	CBC, CCC, CPBC, ECC, English Heritage, MDC, Natural England, RDC, RSPB, SOSBC, TBC and TDC	RDC part of SMP 8. To deliver as many SMP actions as possible.	Shoreline Management Plan Working Group meetings for SMP area 8
	2010	BBC, CPBC, RDC, ECC and EA	Strategic Flood Risk Assessment	Completed
	2016/7	BBC, CPBC, RDC, SOSBC, ECC and EA	Strategic Flood Risk Assessment	Work Underway
	2011	BBC, CPBC, RDC, EA and ECC	South Essex Water Cycle study	Completed
	2012	BBC, CPBC, RDC, EA and ECC	South Essex Surface Water Management Plan	Completed Update underway. Model has been updated to reflect changes in practice and climate change data.
	2014, 2015	ECC, RDC, SOSBC, BBC, CCC, CPBC	Environmental capacity Study	Completed 2015

Rochford District Council – Duty to Co-operate Topic Paper

Topic	Date	Partners	Output	Commentary/ Status
	2015	RDC, TGSE authorities, ECC and key stakeholders (EA, Highways England etc.)	Climate change and green infrastructure scoping workshop	Workshop
	2015	ECC, RDC	Meeting with Essex County Council SuDS funding co-ordinator to discuss SuDS and funding options for CDAs.	Meetings
	2016	ECC (Lead Local Flood Authority) Greater Essex	ECC Sustainable Urban Drainage Systems (SuDS) Design Guide, ECC	Completed
	2016	Various Stakeholders	Marine Management Organisation presentation – Marine Plan	Presentation
Green Infrastructure/ Green Grid	2005	BBC, CPBC, ECC, RDC, SOSBC and TBC	Thames Gateway South Essex Green Grid Strategy	Completed
	2015	RDC, neighbouring authorities and nature bodies (Natural England etc.)	Green Grid meeting	Meetings
Transport and Access	2009	ECC and EPOA Greater Essex Authorities	Parking Standards, Design and Good Practice	Completed. Draft Interim Review 2016.
	2011	ECC and EPOA Greater Essex Authorities excluding SOSBC and TBC	Essex CC Highways Development management Policies	Completed. Superseded by 2016 version.
	2016	ECC and EPOA Greater Essex Authorities excluding SOSBC and TBC	Development Management Policies March 2016	Completed
	2011	ECC and Greater Essex Authorities excluding SOSBC and TBC	Essex Transport Strategy, the Local Transport Plan for Essex	Completed
	2013	TGSE, BBC, CPBC, ECC, RDC, SOSBC and TBC	Thames Gateway South Essex Planning and Transport Strategy	Completed

Rochford District Council – Duty to Co-operate Topic Paper

Topic	Date	Partners	Output	Commentary/ Status
	2014, 2015 2014-2017 (Initially Bi-monthly, now Quarterly)	ECC, RDC ECC, RDC	CIL meeting ECC /RDC transport meeting.	Meetings Initially Bi-monthly, now quarterly meetings to discuss ongoing highways assessments, modelling and strategic routes.
	2016	BBC, RDC	Meeting to discuss highways	Meeting
	2014-2017 (Quarterly)	RDC, Southend Airport Community Affairs Officer, SBC, ECC	Airport Transport Liaison Group meeting.	Ongoing transport meetings to discuss and resolve key surface access issues.
	2015	TBC, ECC, SBC, RDC transport/ policy planners	Transport scoping workshop	Workshop
	2016	ECC, RDC	ECC Community Infrastructure Group	Update
	2014	ECC and SOSBC	A127 Corridor for Growth – An Economic Plan	Completed This was a Highway Authority document, but was endorsed by local authorities through the TGSE Planning and Transport Board in March 2014.
	2016	BBC, CPBC, ECC, RDC, SOSBC and TBC	A127 Route Based Management Strategy	Work Underway This is an update to A127 Corridor for Growth – An Economic Plan
	2016	BBC, CPBC, ECC, RDC, SOSBC and TBC	A13 Route Based Management Strategy	Work Underway
	2016	Greater Essex excluding TBC	Essex Growth and Infrastructure Framework	Complete
	2009, 2010, 2011, 2014	RDC, SOSBC	Joint Area Action Plan Evidence Base and adoption	Adopted
	2014	ECC, RDC, SOSBC	JAAP area Cycling Feasibility	Meetings
	2014	CCC, ECC, RDC, SOSBC	National Cycling Network Route 135, Stock to Southend	Work underway
	2015	RDC, ECC	Rochford cycling Strategy	Meetings

Rochford District Council – Duty to Co-operate Topic Paper

Topic	Date	Partners	Output	Commentary/ Status
Health and Wellbeing	2016	Greater Essex and NHS Partners	Planning and Health Summit	Issues and options discussion.
	2017	RDC, NHS	NHS/CCG strategic estate project group	Meetings
Minerals and Waste	2014	ECC, Essex Authorities excluding SOSBC and TBC	Essex Minerals Local Plan	Adopted
	2014, 2015	ECC, SBS, RDC	Minerals and Waste Stakeholder group meetings	Meetings
	2016	Greater Essex excluding TBC	Essex and Southend-on-Sea Replacement Waste Local Plan	Examination in Public concluded October 2016. Amendments consultation January 2017
Communications Infrastructure	2012	Superfast Essex Board, ECC and Greater Essex Authorities	Super Fast Essex The Local Broadband Plan for Greater Essex	Phase 1 (2012) Updates, Phase 2 underway (2015) and Phase 3 commenced initiating update

Appendix 2 – Meeting Frequencies

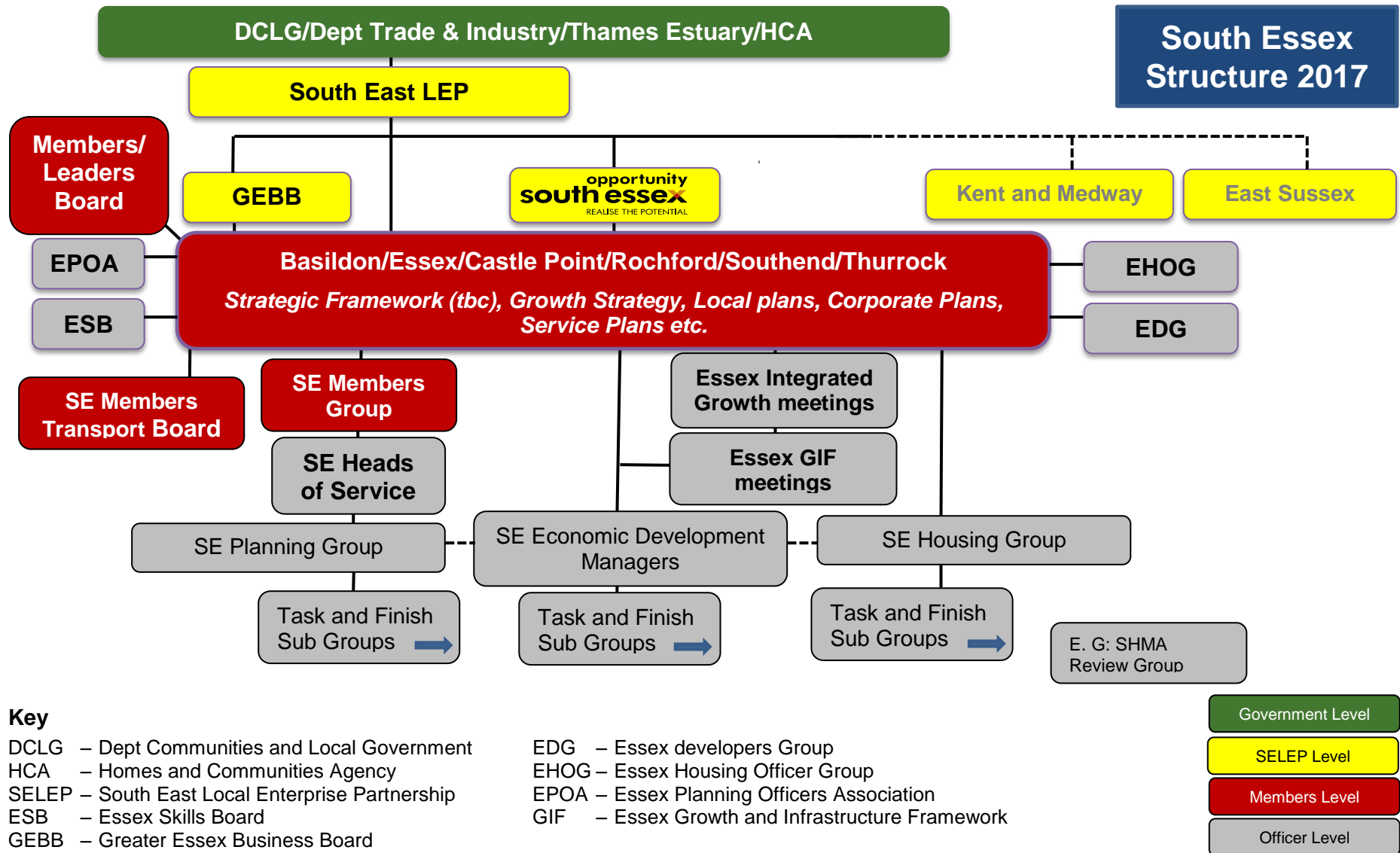
The table below set out details of ongoing meetings and workshops to date that RDC officers have participated in as part of the Duty to Co-operate. These meetings cover a broad range of topics, involving information sharing and best practice, but not all of them would be able to demonstrate direct outputs *per se* due to their nature. Discussions however at these meetings have facilitated/triggered further meetings or work on more specific cross-boundary issues.

Frequency	Description of work (meetings, workshops etc.)	Outputs
Fortnightly	Duty to Co-operate Strategic Planning Officer meetings and workshops. Discussion of cross boundary issues, best practice, local development plan progress, sub-regional planning across South Essex.	Agreement of working together to produce specific evidence base documents e.g. SHMA, EDNA, SERS, SFRA, or joint consultation responses. Preparation of MoU – and exploration of sub-regional planning. Also includes arrangement of member / key stakeholder workshops on the SHMA etc.
Every four to six weeks	Duty to Co-operate Strategic Planning Head of Service meetings. Discussion of cross boundary issues, best practice, local development plan progress, sub-regional planning across South Essex.	Overseeing and setting the parameters for the preparation of joint evidence and joint working arrangements across South Essex, including sub-regional planning.
Bi-Monthly	Duty to Co-operate Strategic Planning Members meetings. Discussion of the progress and specific work of the Strategic Planning Officer and Head of Service groups.	Overseeing and agreeing joint evidence and joint working arrangements across South Essex, including sub-regional planning.
Quarterly	EPOA planning policy forum. Facilitates the sharing of good practice and facilitation of cooperation and joint working on issues of a strategic nature and common interest across Greater Essex.	Commissioning the preparation of joint evidence including EPOA demographic modelling, Greater Essex Growth and Infrastructure Framework (GIF) and Gypsy and Traveller Accommodation Assessments (GTAA).
Quarterly	EPOA Head of Service meetings. Facilitates the sharing of good practice and facilitation of cooperation and joint working on issues of a strategic nature and common interest across Greater Essex.	Overseeing and setting the parameters for the preparation of joint evidence across Greater Essex.
Fortnightly	South Essex Economic Development Managers meeting. Discussion of cross boundary issues, funding bids, best practice across South Essex.	Preparing funding bids for SELEP Local Growth Fund for key infrastructure and economic development schemes to promote growth. Exploring options for joint working and preparing joint consultation responses.
Ad-hoc	One-to-one meetings with neighbouring local authorities; including Basildon Borough, Southend Borough and Chelmsford City Councils.	Agreement of cross-boundary issues. Consideration of options for joint working, for example on evidence, where appropriate.

Rochford District Council – Duty to Co-operate Topic Paper

Frequency	Description of work (meetings, workshops etc.)	Outputs
Ad-hoc	Duty to Co-operate waste meetings and workshops with Essex County Council, and other Essex authorities, throughout the preparation of the replacement minerals and waste local plans.	Feeding into the consultation process, and informing the preparation of each plan-making stage.
Ad-hoc	One-to-one meetings with Essex County Council (strategic planning, highways and education) to discuss these issues, local development plan progress etc.	Agree preparation of topic papers with Essex County Council input.
Quarterly	Meetings with NHS, Rochford and Castle Point Clinical Commission Group strategic estate project group, and neighbouring local authorities. Discussion of estate options in the District, preparation of issues and options.	Learning from best practice elsewhere. Ensuring Rochford District is on the agenda, and forms an integral part of the local development plan process.

Appendix 3 – South Essex Structure





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