



## Statement of Cooperation for Local Planning

### Leeds City Region

Draft Final Report  
Leeds City Region Leaders Board  
1<sup>st</sup> July 2014

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## 1. Introduction

- 1.1 The Duty to Cooperate became a statutory requirement on the 15<sup>th</sup> November 2011; it is a legal duty on Local Planning Authorities and certain public bodies<sup>1</sup> to engage constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation relating to strategic cross boundary matters.
- 1.2 The Leeds City Region is the functional economic area made up of the local authority districts of Barnsley, Bradford, Calderdale, Craven, Harrogate, Kirklees, Leeds, Selby, Wakefield, York and North Yorkshire County Council<sup>2</sup>. The Leeds City Region partnership of local authorities has a long history of collaboration on spatial planning and economic issues and has well-established partnership arrangements; formerly through the wider Yorkshire and Humber Regional Assembly partnership which informed the development of the Regional Spatial Strategy for Yorkshire and the Humber (RSS) and currently through the Leeds City Region Partnership (LCRP) which incorporates the Leeds City Region Enterprise Partnership.
- 1.3 Leeds City Region Planning Portfolios Board has prepared this Statement of Cooperation for Local Planning to outline the practical steps that are being taken to meet the Duty to Cooperate; the purpose of the Statement is twofold:
- To set out processes and practical steps to be followed going forward, that will strengthen the Leeds City Region authorities' approach to collaborative working;
  - To outline the current collaborative work on strategic, cross-boundary issues that is ongoing within the Leeds City Region.
- 1.4 This Statement of Cooperation sets out the legislation and guidance relating to the Duty to Cooperate. It outlines the Leeds City Region Duty to Cooperate process including best practice examples. The Statement also provides details of the current governance structures in place within the Leeds City Region to support collaborative working; it includes details of the Leeds

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<sup>1</sup> Environment Agency, English Heritage, Natural England, Civil Aviation Authority, Homes and Communities Agency, Clinical commissioning groups, National Health Service Commissioning Board, Office of Rail Regulation, Integrated Transport Authority, Highway authorities (including the Secretary of State).

<sup>2</sup> NYCC, the eleventh local authority, is a planning authority in respect of minerals and waste only, but also a strategic infrastructure provider in relation to the District Councils of Craven, Harrogate and Selby.

City Region strategic context and the current agreed priorities. It is proposed that this Statement be revised annually.

## **2. Legislation and Guidance**

- 2.1 The Localism Act (2011) and the National Planning Policy Framework requires local planning authorities specifically to cooperate with other planning authorities, public bodies and stakeholders on strategic matters affecting two or more planning areas.

### The Localism Act 2011

- 2.2 The key legislation governing the Duty to Cooperate is the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011. Section 33A of the 2004 Act requires local planning authorities to “.....engage constructively, actively and on an on-going basis.....” with other local planning authorities, County Councils and other prescribed public bodies when preparing development plan documents and other local development plan documents. The Duty to Cooperate also includes supporting activities, such as the preparation of the evidence base.
- 2.3 The Duty to Cooperate should be applied to any “strategic matter” related to the preparation of the document. A strategic matter is defined as “sustainable development or use of land that has or would have a significant impact on at least 2 planning areas including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas” (section 33A (4) (a)). The aim of such cooperation is to maximise the effectiveness of the documents.
- 2.4 In this regard local authorities and others are required to engage constructively, actively and on an ongoing basis. Regard must also be had, under section 33A (9) and regulation 4(2), to the activities of Local Enterprise Partnerships as they relate to the Local Plan and supporting activities. Local Enterprise Partnership means a body, designated by the Secretary of State, which is established for the purpose of creating or improving the conditions for economic growth in an area.

### The National Planning Policy Framework

- 2.5 Paragraphs 178-181 of the National Planning Policy Framework (NPPF) provide guidance on planning strategically across local boundaries. Paragraph 181 states that:

*“Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are*

*submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development”.*

2.6 Section 33A (6) of the Act adds legal weight to this guidance, requiring the Council to consider whether to prepare agreements on joint approaches to strategic planning, including whether to prepare joint local development documents with neighbouring local planning authorities.

2.7 Paragraph 178 of the NPPF also states that “*public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities ...*” The NPPF (paragraph 156) states that such priorities should include strategic priorities to deliver:

- 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 adaptation, conservation and enhancement of the natural and historic environment, including landscape.

However the NPPF makes it clear that this list is not exhaustive.

#### National Planning Policy Guidance

2.8 On March 6<sup>th</sup> 2014 the Government published the National Planning Policy Guidance (NPPG); it is available at the following link: [National Planning Practice Guidance](#). NPPG replaces a number of older guidance notes and complements the National Planning Policy Framework (NPPF). With regard to the Duty to Cooperate, NPPG confirms that the duty is the responsibility of local planning authority councillors and officers; leading discussion, negotiation and action to ensure effective planning for strategic matters in their Local Plans. The guidance also reiterates that it is not a duty to agree but that every effort should be made to secure the necessary cooperation on strategic cross boundary matters before a Local Plan is

submitted for examination. Further guidance is also provided on circumstances where an authority will not cooperate.

Other Guidance Documents

2.9 As well as the PAS ‘Doing your Duty’ early practice paper (2013), other useful guidance documents include [‘A Simple Guide to Strategic Planning and the Duty to Cooperate’ \(2011\)](#) produced by the Planning Advisory Service and in [‘Transition to the Localism Act and the NPPF’ \(2012\)](#) produced by the Planning Officers Society. The processes described in this Statement make reference to the guidance, including directly addressing the following key messages from the PAS guidance.

<b>PAS Guidance</b>	<b>Leeds City Region Enterprise Partnership Approach</b>
Utilise existing mechanisms / governance structures if they are useful vehicles which will help demonstrate cooperation.	Use of Heads of Planning and Planning Portfolios Board within the context of the wider Leeds City Region Enterprise Partnership Structure in addition to joint working with neighbouring authorities.
For key strategic issues, look to produce joint evidence with neighbouring authorities and / or prescribed bodies	Examples of joint evidence include the Kirklees, Wakefield and Calderdale Joint Strategic Flood Risk Assessment (see p21).
Keep good and easily accessible (transparent) records of your engagement with neighbouring authorities and prescribed bodies so that it is easy to demonstrate cooperation.	Tools to demonstrate cooperation, to be used as appropriate, include the Duty to Cooperate Table, Duty to Cooperate Statements, Statements of Common Ground and Memorandums of Understanding (MoU).
The responsibility to respond to the Duty is not confined to Examination and cannot be ‘retro-fitted’. It necessitates co-ordination and cooperation throughout all stages of plan preparation, planning for strategic projects and on to delivery and implementation.	Joint-working on strategic, cross-boundary issues will be undertaken throughout the development plan preparation process from early engagement through to consultation on draft plans. Planning Portfolios will be consulted at the draft plan stage (see Figures 1 and 2).

### 3 Leeds City Region Duty to Cooperate Process

- 3.1 The introduction of the Duty to Cooperate was an important change to the methodology of preparing Local Plans, it requires more than consultation with adjacent Councils; it requires cooperation in the preparation of plans and in the way in which plan provisions are arrived at in order to ensure that sustainable strategies are adopted and strategic issues are properly addressed; it is outcome focussed. The National Planning Policy Framework (NPPF) makes clear that cooperation should be a continuous process of engagement from initial thinking through to implementation. NPPG states that *“LPAs should bear in mind that effective cooperation is likely to require sustained joint working with concrete actions and outcomes. It is unlikely to be met by an exchange of correspondence, conversations or consultations between authorities alone”*. In determining whether the Duty to Cooperate has been fulfilled it is necessary to consider both the process that has been gone through and the outcomes. The objective is effective plan-making that recognises and responds effectively to matters identified in evidence that have implications both within and beyond the Plan area.
- 3.2 Since it became a statutory requirement on 15th November 2011, the Duty to Cooperate has been tested through the examination of a number of Core Strategies and Local Plans nationally which have now progressed through to adoption; for examples of early practice on the Duty to Cooperate PAS has produced a guide which is available at the following [link](#). For information on the status of Core Strategies and Local Plans within the Leeds City Region refer to Appendix B.
- 3.3 There is no definitive list of actions that constitute effective cooperation under the Duty to Cooperate as the actions will depend on local needs. NPPG states that, *“Cooperation should produce effective policies on cross boundary strategic matters. This is what local planning authorities and other public bodies should focus on when they are considering how to meet the duty.”* The issues that authorities choose to cooperate on and the method by which cooperation is undertaken is therefore at the discretion of the Local Planning Authority. This section of the Statement provides some high level principles on how Leeds City Region planning authorities intend to cooperate on strategic, cross-boundary issues and considers some of the options for documenting the process. All authorities will find methods of cooperation and documentation that are appropriate to their local circumstances.
- 3.4 Cooperation at different levels will be required (city region, county and district), the level at which engagement is required will be determined by the strategic issues identified. Local planning authorities are likely to be required to work in different groupings for different

strategic matters. Section 33A(6) of the 2004 Act requires local planning authorities and other public bodies to consider entering into agreements on joint approaches. Local planning authorities are also required to consider whether to prepare local planning policies jointly under powers provided by section 28 of the 2004 Act.

#### High Level Principles

3.5 The Leeds City Region authorities have identified the following high level principles that will influence a joint approach to meeting the Duty to Cooperate:

- **Cooperation throughout the development plan process:** the Duty to Cooperate is a statutory requirement for Local Plan preparation, implementation, ongoing monitoring and review; the Duty to Cooperate therefore applies throughout the development planning process.
- **Going beyond consultation:** effective cooperation requires sustained joint working, identifying actions and achieving outcomes. Correspondence, conversations and consultations alone are not sufficient.
- **Taking a pragmatic approach:** not all issues will require cross-boundary cooperation and the scale at which cooperation needs to take place to achieve the most effective outcomes will be dependent on the nature of the strategic matter.
- **Responding to all requests to engage:** at a local level where planning authorities within the Leeds City Region partnership request input into their development plan process a response will be provided from other authorities in the partnership. It is acknowledged that a 'no comment' response is more valuable than no response.

#### Identifying and Addressing Strategic, Cross boundary Issues (officer led)

3.6 Figure 1 below captures key stages that planning authorities may go through to identify and address cross-boundary, strategic issues in preparing development plan documents. The diagram represents an outline example, intended to be used as a guide only, as the nature of collaboration will depend on the circumstances of the authority.

3.7 The process diagram illustrates that collaboration needs to be undertaken throughout the development plan process, it is important not to confine cooperation to any one point in the process. It also identifies that engagement in the early stages is essential in identifying the strategic cross-boundary issues. The activities that fall within the Duty to Cooperate include activities that prepare the way for or support the preparation of Local Plans this might involve



joint research and evidence gathering to define the scope of the Local Plan, assess policy impacts and assemble the necessary material to support policy choices. The diagram identifies a series of actions that may be appropriate at different stages of plan preparation and for each stage possible methods of documenting collaborative working are identified.

- 3.8 It is important to note that the diagram only represents the collaboration through the plan making period, monitoring and reviewing progress on cross-boundary, strategic issues will be an on-going process beyond adoption of local development plans and throughout the policy implementation period.

#### Duty to Cooperate Tools

- 3.9 The list of strategic priorities included in NPPF is not exhaustive; it is therefore at the discretion of the Local Planning Authority to determine which issues they consider to have cross-boundary, strategic implications. The Leeds City Region planning authorities have developed a Duty to Cooperate Table (template) to be used as a tool in identifying strategic, cross-boundary issues and in addressing these issues; the template includes a list of policy areas where cross-boundary issue are most likely to arise. The recommendation is that all of these policy areas are considered, in addition to any additional local priorities identified. The table can be used as a tool to assist with high-level scoping of strategic, cross-boundary issues, for the collation of responses when engaging stakeholders and to track issues throughout the plan preparation process; the tables are therefore live until the point of final submission of the development plan.
- 3.10 This template was endorsed by the Leeds City Region Leaders' Board on the 6<sup>th</sup> December 2012. A copy of this template is included as Appendix C; the template has been used by Leeds City Council, Wakefield Council, Selby Council and Kirklees Council and has been adapted by each planning authority to meet local needs.
- 3.11 Documentation of the actions undertaken to fulfil the Duty to Cooperate is essential as local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. NNPG states that authorities should submit robust evidence and that this could be in the form of a statement submitted to the examination. Evidence should include details about who the authority has cooperated with, the nature and timing of cooperation and how it has influenced the Local Plan.

3.12 Also included in Figure 1 as examples of documenting collaboration are Statements of Common Ground and Memorandums of Understanding (MoU). An example MoU is provided as Appendix H; the example is a framework for cooperation between South Pennine local authorities (including Kirklees, Calderdale and Barnsley within the Leeds City Region) with respect to strategic planning and development issues relating to renewable energy, in particular wind energy.<sup>3</sup> The MoU provides a good example of joint working to cover a strategic issue dominated by the geography of the landscape rather than administrative boundaries. Authorities also report on on-going Duty to Cooperate compliance in their Annual Monitoring Reports.

**Application of the Duty to Cooperate in the Leeds City Region**

**Wakefield Council: Site Allocations Document Preparation**

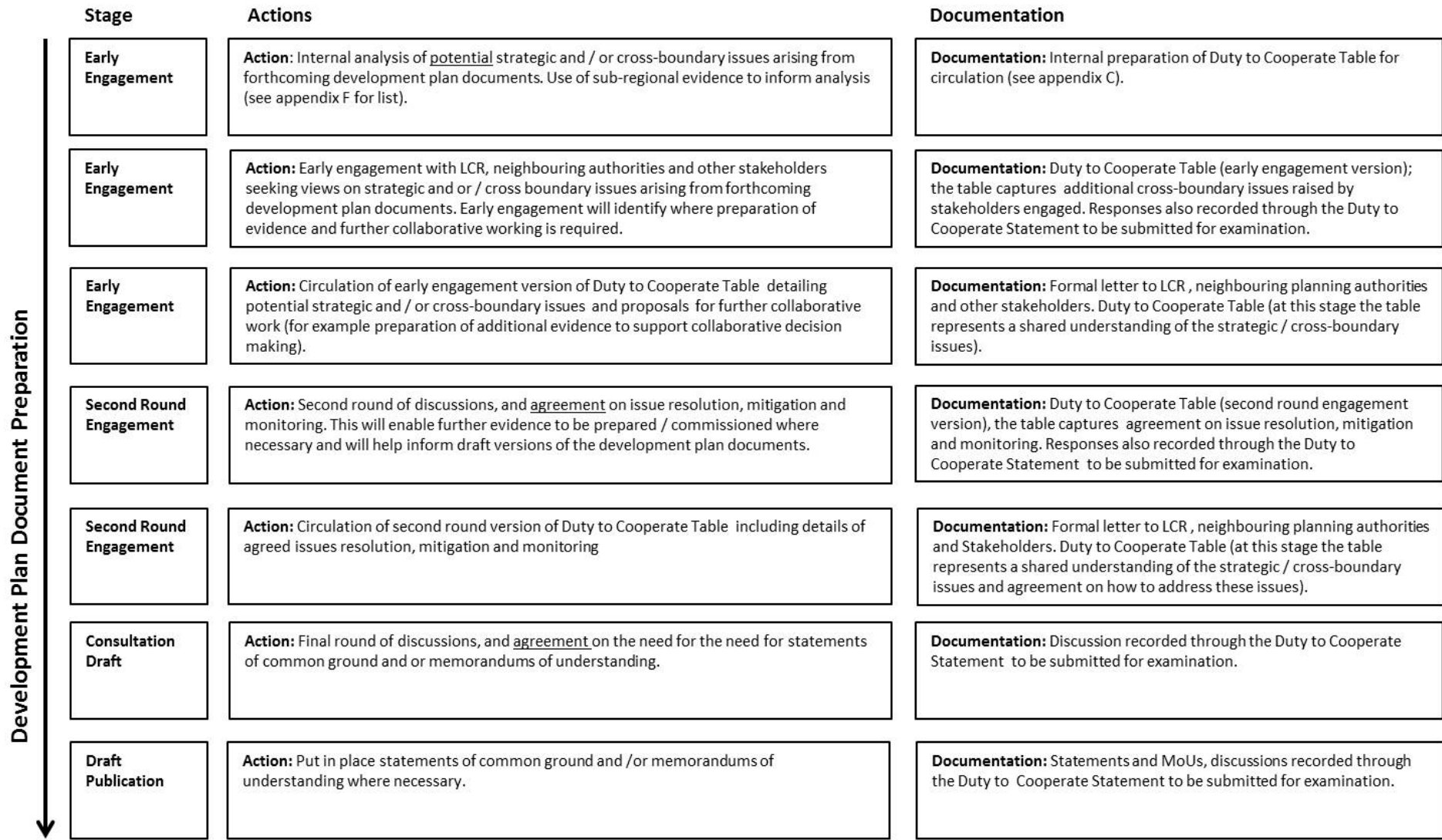
It was predicted at an early stage that there might be significant cumulative impacts on the strategic road network from the development of sites. Consultation with the Highways Agency on their preferred options indicated particular pressures on the motorway junctions along the M62. A joined up approach was agreed to model the potential impacts on the strategic road network using Wakefield's site allocations data and assumed growth from early versions of adjoining authorities' Core Strategies. This modelling indicated pressure on some motorway junctions which would need significant mitigation measures – the delivery and timing of which might represent essential infrastructure if growth in Wakefield was to be realised.

Further modelling on more refined options at a later stage of the Plan allowed the Council to take on board the issues evidenced by the modelling and also allowed the Highway Agency to consider their position in determining their priorities for improvements to the motorway junctions to increase capacity. The end result was an agreed position of impact, demonstrated by robust evidence, which led to agreed mitigation measures. These measures were then written into Wakefield's Development Plan and the Highways Agency were able to confirm that their document was sound.

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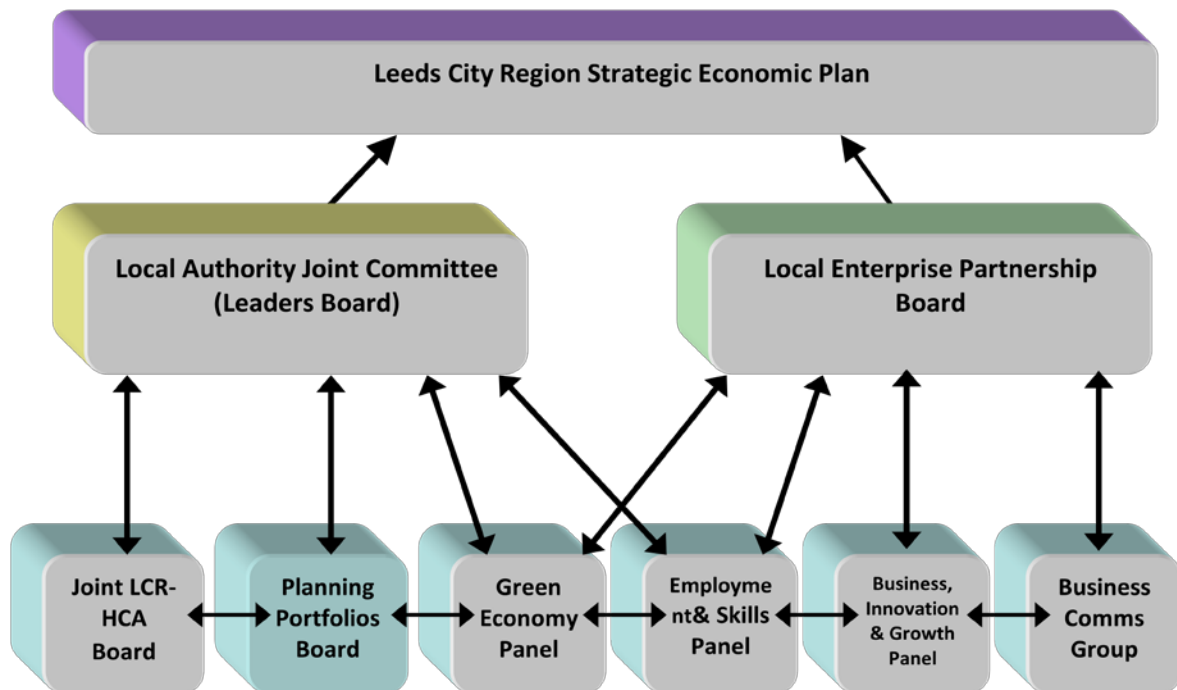
<sup>3</sup> The MoU has been signed by the following authorities: Barnsley, Burnley, Bury, Calderdale, High Peak, Hyndburn, Kirklees, Lancashire CC, Pendle, Rochdale and Rossendale.

Figure 1: Process Diagram - Identifying and addressing cross-boundary, strategic issues



Political Oversight and Endorsement of Duty to Cooperate Outcomes (member led)

3.12 The Planning Portfolios Board is one of a series of panels and boards within the Leeds City Region structure, a diagram of the full structure and descriptions of the function of the boards and panels is provided at Appendix D. The Planning Portfolios Board has Councillor representation from each Local Planning Authority (and Senior Officer support). It was established specifically to provide political oversight on strategic planning matters<sup>4</sup> and the Duty to Cooperate, advising the Leeds City Region Leaders Board and Leeds City Region Enterprise Board on appropriate actions that could / should be taken in respect of these planning matters. The Board is tasked with providing political oversight for matters relating to the Partnership's role in supporting authorities in ensuring compliance with the legal requirements of the Duty to Cooperate. Appendix E provides the full Terms of Reference for the Planning Portfolios Board.



3.13 Collaboration on planning matters is currently supported at three specific levels through the following key groups:

- Leeds City Region Planning Portfolios Board (Members and Chief Officers)

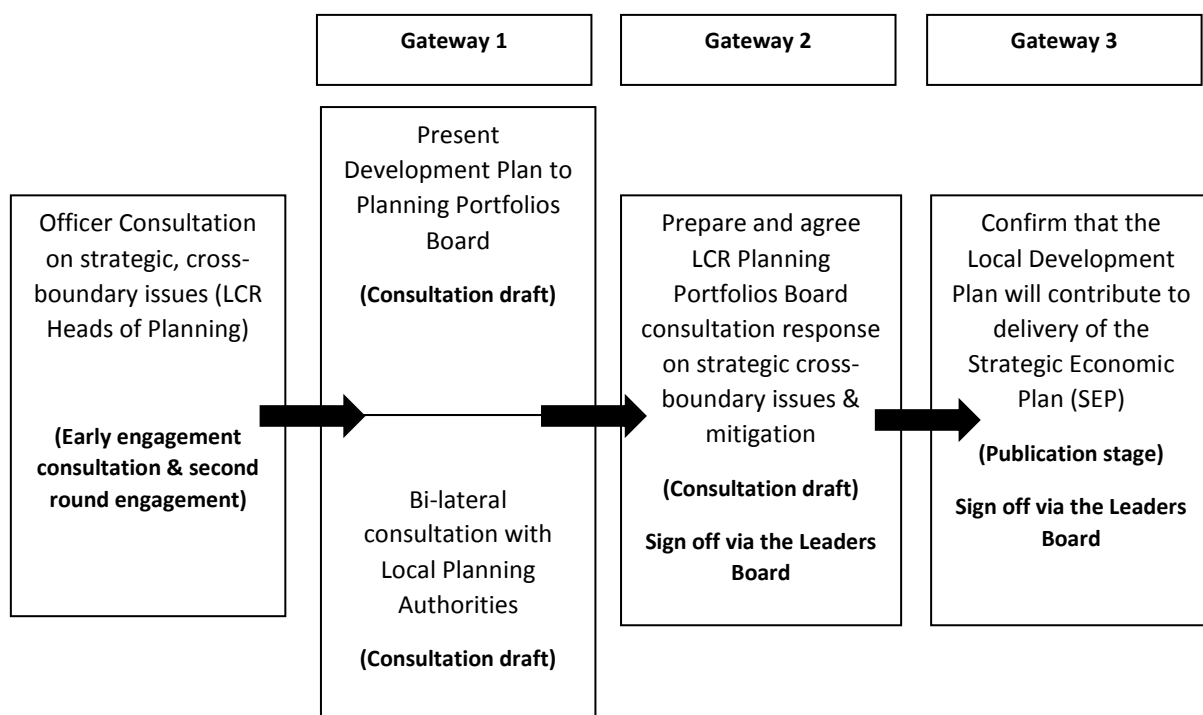
<sup>4</sup> Strategic Planning is defined as 'sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas' (Localism Act, 2011).

- Leeds City Region Heads of Planning (Chief Officer Level)
- Strategic Planning (DTC) Group (Local Plan Lead Officer Level)

Leeds City Region spatial planning matters are also reported to the Leeds City Region Directors of Development Group and Leeds City Region Chief Executives’ Group as required.

3.14 As the core function of the Portfolios Board is to provide political oversight on strategic planning matters the Board is well-positioned to advise on strategic, cross-boundary issues within local development plans. The Planning Portfolios Board was established November 2013 and a number of development plans have been presented to the Board for discussion. It is proposed that these arrangements are formalised and that all Leeds City Region authorities will formally consult the Planning Portfolios Board at draft plan stage.

**Figure 2: Process Diagram – Planning Portfolios Board and the Duty to Cooperate**



3.15 The diagram above illustrates the process; including both officer and member engagement and ensures that Leeds City Region level engagement is complementary to bi-lateral engagement. The three Gateways in the diagram above include those stages that involve input from the Planning Portfolios Board only, as illustrated in the process diagram Figure 1 collaborative working on cross-boundary issues will also be required at the early engagement and options stages of plan preparation. For context, Appendix B provides a summary of

current progress on plan making at the district level, indicating when authorities expect to be at the Examination stage for individual plans.

## **4 Leeds City Region Strategic Cooperation**

4.1 The sub-regional partnership arrangements have an important role to play in supporting Local Planning Authorities in meeting the Duty to Cooperate. Planning authorities are required to engage in a co-ordinated process for securing sustainable development and resolving strategic issues, the Leeds City Region structures and activities support this process.

4.2 It is important to note however that the Leeds City Region Enterprise Partnership (LEP) currently has no statutory basis for decision making within the planning system. A recent [RTPI research paper](#) explores the current functional relationships between local planning authorities and LEPs on a national basis and provides useful context.

### Rationale for Strategic Cooperation

4.3 There is a history of collaboration on spatial planning issues across the city region particularly since 2004 when work began on the Regional Spatial Strategy (RSS) for Yorkshire and Humber; the Yorkshire and Humber Plan was adopted in 2008. Following the revocation of the RSS collaboration has continued between authorities on strategic planning in part to meet the requirements of the Duty to Cooperate, but more practically because collaboration is considered locally to be good practice and to result in better planning and planning outcomes. Leeds City Region level collaboration is undertaken for a number of reasons:

- The main functional trends and drivers for change that affect places operate at a spatial scale above local authority level. Housing markets, commercial property markets, labour markets, business agglomeration effects and supply chains, travel to work areas, utilities networks and water catchments for example do not stop at local authority boundaries. In the context of the Duty to Cooperate, understanding these greater-than-local trends and engaging with partners to identify and resolve issues is essential.
- There is a collective interest across local authorities in the success of the most important places of growth, regeneration and change that will drive the city region's economy. Local policy development cannot be undertaken in isolation, authorities within the Leeds City Region are actively engaged in identifying and promoting / delivering strategic priorities.
- There is a clear value in using strategic spatial analysis to develop a policy framework that will support the process for the prioritisation and integration of investment in places across

different funding streams and policy areas addressing the strategic aspects of what the Local Government Association has described as 'place based budgeting'. This will be particularly important in the context of significant reductions in funding over the next 3-5 years and as the City Region Enterprise Partnership continues to more effectively join up its investment priorities across economic development, skills, innovation, transport and housing.

- Finally, planning policy at the district level relies to some extent on an evidence base and technical work developed across local authority boundaries because the matters being considered have cross boundary implications. Examples of this include economic forecasts, population and household projections, renewable energy, waste and minerals. Some of these areas of technical work for example minerals and renewable energy will benefit from technical work based on a geography that is wider than the city region. The preparation of joint plans and evidence is an integral part of meeting the Duty to Cooperate.

#### The Leeds City Region Interim Strategy Statement

4.4 Following the revocation of the RSS the Leeds City Region authorities produced an Interim Strategy Statement. The purpose of the 2011 Statement was to provide an interim strategic context for both plan making and major development proposals. The Statement (2011) set out that *'the authorities in the partnership continue to support the broad policy thrust of the former RSS and the principles of urban transformation contained in the Plan' [The Yorkshire and Humber Plan, 2008]*. The Statement identifies a list of policies that authorities propose to adhere to from the approved RSS to ensure that the above principles were retained. The full Interim Strategy Statement is provided at Appendix A including the list of policies. The Statement was endorsed at the Leeds City Region Leaders Board meeting on Thursday 21<sup>st</sup> April 2011.

4.5 A review of the Strategy Statement has been included in 2014/15 Planning Portfolio Board work programme and is scheduled for autumn 2014.

#### The Leeds City Region Planning Charter and Consultation on Major Applications

4.6 In addition to collaboration on plan making the Leeds City Region is also working together to ensure that the city region has a business friendly planning system. The Leeds City Region Local Enterprise Partnership has developed a charter which sets out how the Local Planning Authorities and developers will work together to ensure that proposals major new investments will be dealt with in an efficient and effective way throughout the city region. The

Charter represents the first step towards creating a seamless service for investors wherever they choose to locate in the city region. A copy of the Charter is included at Appendix G.

- 4.7 Consideration is also being given to whether the LEP Board should be consulted on major planning applications (where these are considered to be of strategic importance and or have potential cross-boundary implications). The Board would consider whether major proposed developments will achieve the ambitions of the Leeds City Region Strategic Economic Plan (SEP).

**Application of the Duty to Cooperate in the Leeds City Region  
Leeds City Region: DtC Officer Group**

The Duty to Cooperate Officers Group was originally convened in 2012 to enable an opportunity for planning issues to be raised at an early stage that may have cross boundary implications. Authorities are encouraged to liaise and share information in the meetings but also outside the formal meetings as well. These have continued to be a regular and ongoing series of meetings with agendas prepared and agreed in advance. The meetings are formally minuted and are timed to coincide with Leeds City Region Heads of Planning meetings and Leeds City Region Leaders Board and more recently Leeds City Region Planning Portfolio Board meetings, in order to enable matters to be escalated at the appropriate time if required.

The meetings provide an opportunity for joint authority working on specific evidence – through topics being raised at an early stage and the scope of the work to be undertaken. Through this process Leeds City Council for example, has been able to demonstrate compliance with the DtC legal requirement. As part of the Council's evidence submitted for Core Strategy Examination, the City Council submitted a DtC background paper. This included a matrix schedule encapsulating comments received on the plan and the mitigation put in place. This provided a basis for comparison with the earlier DtC material presented at Pre-submission stage, documenting the influence on the DtC process through the changes subsequently presented.



## Strategic Context and Agreed Priorities

- 4.8 NPPG states that Local Enterprise Partnerships have a key role to play in delivering local growth by directing strategic regeneration funds and in providing economic leadership through their Strategic Economic Plans. The commitment of local planning authorities to work collaboratively with Local Enterprise Partnerships across their area is therefore considered to be vital for the successful delivery of policies for strategic growth in Local Plans. An effective policy framework for strategic planning matters, including joint or aligned planning policies, is a fundamental requirement for this.
- 4.9 As detailed in Section 2 of this Statement, Planning Authorities must have regard to the activities of the LEP; *“in meeting the Duty regard must be had to the activities of Local Enterprise Partnerships as they relate to the Local Plan and supporting activities”*. This requirement reflects the important role that both Local Enterprise Partnerships and Local Nature Partnerships need to play in strategic planning. NPPG states that: *Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty. But local planning authorities and the public bodies that are subject to the duty must cooperate with Local Enterprise Partnerships and Local Nature Partnerships and have regard to their activities when they are preparing their Local Plans, so long as those activities are relevant to local plan making.*
- 4.10 The following is a summary of the Leeds City Region Enterprise Partnership policy framework.

### The LEP Vision

The LEP’s new vision for the Leeds City Region is:

*‘To unlock the City Region’s immense potential, becoming the growth engine for the North and the Nation.’*

### The LEP Plan

The LEP Plan set out in 2011 the Leeds City Region’s original ambitions and strategy and policy framework to grow the economy. It identified four strategic investment priorities, as listed below. These have recently been updated as part of the development of the Leeds City Region Strategic Economic Plan, which was submitted to Government in March 2014.

1. Unlocking the growth potential of businesses in key economic sectors;
2. Making the most of a skilled and flexible workforce;
3. A Resource Smart City region; and
4. Creating the environment for growth: major centres, housing and transport.

## The Leeds City Region Strategic Economic Plan (SEP)

The Leeds City Region Strategic Economic Plan was influenced by emerging local development plan strategies and priorities. The Strategic Economic Plan updated the four LEP plan investment priorities (now referred to as the four strategic pillars):

1. Supporting growing businesses;
2. Developing a skilled and flexible workforce;
3. Building a resource smart city region;
4. Delivering the infrastructure for growth;

The Strategic Economic Plan also sets out complementary strategic targets to be achieved by 2021:

1. £5.2bn additional economic output beyond current projections
2. 62,000 extra jobs
3. £675m in benefits savings
4. Making the City Region a net contributor to the national economy

4.11 Priority 4 of the Leeds City Region Enterprise Partnership Plan and Strategic Economic Plan: Delivering the infrastructure for growth, provides the main context for collaborative work on spatial planning within the Leeds City Region. The long term ambition is: *“To build a 21st Century physical and digital infrastructure that enables us to reach our growth potential.”* The following key action areas are identified in the Plan:

- Ensure that **transport connectivity** provides the engine for growth by implementing our delivery plan from 2015-16. This includes:
  - **West Yorkshire plus Transport Fund** – 32 prioritised schemes delivered over 10 years to increase employment opportunities and economic growth, creating 20,000 jobs and increasing economic output by £2.4bn each year;
  - **DfT legacy schemes** – three ongoing major schemes: New Generation Transport, Leeds Inner Ring Road and Leeds Rail Growth Package for 2015-16 and beyond;
  - **Accelerated Growth programmes** – quickwin transport interventions targeted at strategic growth areas and network connectivity enhancements to generate additional GVA and jobs, and prepare the Leeds City Region to be HS2-ready;
- **Double house-building** particularly in strategic housing and employment growth areas, and deliver new affordable homes;

- **Bring forward development sites** that commercial investors will not currently finance through site decontamination, clearance and other upfront infrastructure works;
- **Deliver improvements to digital and green infrastructure** to accelerate further growth and investment.

## 5 Strategic Issues (thematic)

5.1 As recommended in the Interim Strategy Statement further work is being undertaken at a city region level to establish joint positions on spatial planning issues as a strategic context for emerging Local Plans. Both the strategies and plans being taken forward in the city region, as well as the research and analysis on a city-region-wide scale will provide a robust strategic framework upon which local planning authorities can draw in the preparation of local plans; an overview of work (complete and proposed) is provided below by theme. Also included are examples of policy implementation on cross-boundary strategic issues such as transport and broadband. A number of case study examples demonstrating collaborative working are also included.

### Transport Infrastructure

5.2 The Leeds City Region has a strong history of collaboration on transport priorities; the following is a summary of the current partnership priorities and programmes:

- There are a number of strategic plans and programmes that set out transport's contribution to the economic well-being of the Leeds City Region, as well as impacts on the environment and people's quality of life. These plans and programmes include:
  - Strategic Economic Plan (SEP);
  - Leeds City Region Transport Strategy;
  - Local Transport Plans (the statutory plans for transport in West Yorkshire, York, North Yorkshire and South Yorkshire);
  - West Yorkshire plus York Transport Fund.
- The Leeds City Region Local Enterprise Partnership has developed an ambitious transport proposition to substantially increase transport investment in the area to promote economic growth, this is set out in the Strategic Economic Plan.
- The Leeds City Region Transport Strategy was developed in 2009 and sets out a framework for a period of 20-25 years. It aims to improve transport across the area by meeting

existing demand for travel, tackling current problems of congestion, supporting future development and prosperity, and progressing towards a lower carbon economy.

- The West Yorkshire Combined Authority is the Local Transport Authority (LTA) for West Yorkshire, City of York Council is the LTA for York, Barnsley falls within the South Yorkshire Transport Authority area and Selby, Craven and Harrogate within the North Yorkshire Transport Authority area.
- For West Yorkshire, the third Local Transport Plan (2011-26) was developed through extensive public and stakeholder engagement by the Integrated Transport Authority, working with the five constituent District Councils. The 15 year Plan was adopted by all the partners in March 2011.
- There have been significant developments since the West Yorkshire LTP 2011 – 2026 was adopted in 2011. The most significant of these are:
  - The establishment of the WYCA on 1 April 2014;
  - West Yorkshire plus York Transport Fund 2014-24 – a £1.6bn programme of transport interventions;
  - The development of the Strategic Economic Plan 2015-21 as a bid to the Local Growth Fund. IP2 will need to be reviewed following the outcome of the Strategic Economic Plan bid in July 2014;
  - Development of High Speed 2 proposals and the need to ensure that benefits are spread across the wider city region area.
- It is proposed that, in view of these developments, a review is undertaken in West Yorkshire to develop a single transport plan for the West Yorkshire Combined Authority that sets a clear strategy and context for future interventions. In any future review, a single transport plan could also include City of York Council. It could be interpreted from the legislation (Localism Act, 2011) that the West Yorkshire Combined Authority has to comply with the Duty to Cooperate. The West Yorkshire Combined Authority will explore how this will be achieved for new documents and strategies and is currently working in partnership with the Leeds City Region Enterprise Partnership to ensure that the processes for meeting the Duty to Cooperate are aligned.
- Through the West Yorkshire plus York Transport Fund, West Yorkshire partners, with City of York Council, have developed an ambitious plan to create 22,000 jobs and economic growth across the area. The West Yorkshire plus Transport Fund is a 10 year investment plan worth £1.6bn to deliver a priority core programme of transport interventions, specifically targeted at creating new jobs and unlocking growth.

## Housing

- 5.3 Meeting housing needs is one of the most important functions of Local Plans. Failure to deal with it properly can have wide-ranging implications for the whole plan and can render the whole document unsound, this is a key issue for constituent Local Planning Authorities in the Leeds City Region who are seeking to progress their local plans to significantly boost housing supply to meet needs and support economic growth.
- 5.4 The NPPF requires that Councils should positively seek opportunities to meet the development needs of their area and that Local Plans should meet objectively assessed needs unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. It states that every effort should be made objectively to identify and then meet housing needs, setting out a clear strategy for allocating sufficient land, taking account of the needs of the residential community. It is clear from national guidance that the Government places considerable importance on the need to encourage house-building to meet the national shortage<sup>5</sup>.
- 5.5 In this context the following work is underway in Leeds City Region to both support LEP work as well as provide LPAs with up-to-date evidence for their local plan preparation:
- An updated Leeds City Region Housing and Regeneration Plan was commissioned in late 2013 to inform the Leeds City Region Strategic Economic Plan submission and update the housing and regeneration context and policy and investment priorities. A final document will be completed in Summer 2014.
  - Research has been commissioned to strengthen the Leeds City Region evidence base on housing affordability. This work will inform ongoing work with the Homes and Communities Agency on the next Affordable Housing Programme (2014-17). The research sets out what affordability means in the city region in relation to a variety of income levels in different locations and provide an understanding of the strategic affordability needs and potential interventions required to meet these needs.
  - Two key pieces of work were commissioned in the latter part of 2013 to support the work of individual authorities on planning for housing specifically and to help in addressing the requirements of the Duty to Cooperate. The first addressed a common methodology for defining the objectively assessed need for housing and the second considered cross-boundary implications of housing markets. Both of these pieces of work will be

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<sup>5</sup> Extract from the Letter from the Planning Inspectorate to Kirklees Council, 26<sup>th</sup> April 2013.

completed in Summer 2014 and will provide a joint evidence base for the Leeds City Region and each LPA.

**Application of the Duty to Cooperate in the Leeds City Region**

**Kirklees, Wakefield & Calderdale Councils: Joint Strategic Flood Risk Assessment**

Wakefield's Core Strategy or Sites Allocation documents both needed to be informed by a robust assessment of flood risk, particularly as it this was needed to inform whether Wakefield was able to deliver strategic levels of growth or not. The major river catchment for Wakefield which could potentially prevent growth is the River Calder, and recognising the wider catchment of the river, work was commissioned alongside Kirklees and Calderdale Councils on a joint Strategic Flood Risk Assessment. The preparation of this closely involved the Environment Agency and the findings of the study were able to be agreed between all parties.

Wakefield Council used this data in their site selection process to avoid as far as possible development within the areas of highest probability of flooding. A positive outcome of this joint working was reflected in that consequently, little or no objections were raised to the Wakefield's Core Strategy or Sites Allocation documents on flood risk grounds.

Waste and Minerals

- 5.6 Advice and guidance produced by the Government seeks to move towards enhanced working between local authorities on areas of common interest to achieve sustainable development. The nature of minerals and waste developments mean that often there are implications beyond individual planning authorities' boundaries. Each of the unitary Local Authorities in the region is a Minerals and Waste Planning Authority. In addition, as minerals and waste planning authorities, North Yorkshire County Council, the City of York Council and the North York Moors National Park Authority are producing a minerals and waste joint plan. The minerals and waste joint plan will, once finalised, set out new planning policies for minerals and waste developments across all three areas which will guide decisions on planning applications up to 2030. It is estimated that the plan will be adopted October 2015.

- 5.7 North Yorkshire County Council recently produced the first draft of a position statement on waste, covering the Yorkshire and Humber area, following a meeting of Yorkshire and Humber waste planning officers in April 2014.
- 5.8 The NPPF also requires every mineral planning authority to carry out a Local Aggregate Assessment each year. This is a new obligation and comes on top of the need to establish a (regional) Aggregates Working party and carry out annual monitoring of the production and supply of aggregates. A draft West Yorkshire Local Aggregates Assessment has been prepared and is currently being finalised in consultation with neighbouring Mineral Planning Authorities. This will help inform the consideration of further collaborative work on minerals and waste planning across West Yorkshire, including in relation updating local planning policy.
- 5.9 A Local Aggregate Assessment for the North Yorkshire Sub-region was also finalised and submitted to the (regional) Aggregates Working Party in May 2014. The LAA was prepared by North Yorkshire County Council, the City of York Council, the Yorkshire Dales National Park Authority, and the North York Moors National Park Authority.

#### Broadband

- 5.10 The Leeds City Region Digital Infrastructure Plan was published in 2012 and due to the economic, social and environmental importance of enhancing digital infrastructure and broadband coverage, steps have been taken to ensure that local planning policy and decision making takes into account the priorities of the Leeds City Region Digital Infrastructure Plan. The following are current key programmes within the Leeds City Region:
- Superfast West Yorkshire Programme – BT have been commissioned to deliver a £22m broadband fibre infrastructure enhancement programme in West Yorkshire (excluding Kirklees), to deliver superfast broadband accessibility coverage to 97% of the area by September 2015. Not only will this project provide superfast broadband to 59,000 additional homes, an associated business support programme will maximise the economic impact of the investment by working with up to 2,000 companies to exploit the benefits.
  - Superfast North Yorkshire Programme – BT have been commissioned in York and North Yorkshire to similarly deliver an enhanced fibre infrastructure programme. The programme is forecast to achieve 90% coverage across the area by the end of 2014, and there is also a similar business support programme to support SMEs to exploit the enhanced broadband opportunities.

- Enhancements in broadband infrastructure in Barnsley is being taken forward in collaboration with the South Yorkshire authorities.
- SuperConnected Cities Programmes in both Leeds/Bradford and also in York. Connection vouchers worth up to £3,000 are available to SME businesses to cover the cost of upgrading to a superfast broadband connection. Investments have also focused on rolling out further activities including wireless networking within the city centres, libraries and other public buildings and free Wifi on major bus and train routes.

5.11 Leeds City Region partners are working to ensure that planning and highways departments in all of Leeds City Region's authorities are well linked with broadband programmes so that they have early sight of all roll-out plans. In West Yorkshire for example, regular and ongoing joint meetings take place between the Superfast Broadband team, BT and local authority planning and highways officers to ensure the smooth roll-out of the programme through jointly planning streetwork management within and across local authority boundaries and a number of practical measures are being taken:

- Ensuring that through both the planning policy and development management processes that fibre to all premises (homes, commercial retail) is included in planning applications or that at least ducting is put in as part of all new developments as a minimum.
- Ensuring that any planning issues are considered and built into proposals within neighbouring authorities' plans.
- Adopting appropriate Planning Performance Agreements where advantageous to do so (positive fast-track planning agreement) such as agreed for the Leeds and Bradford Super Connected Cities Programme, consider the roll out of the principles elsewhere in the city region.
- Exploring the possibility of developing a fast-track planning approach for any additional street furniture or additional structures on schools or public buildings.
- Considering the implications of new infrastructure on environmental quality and amenity, particularly in high quality environments such as Conservation Areas.



## 6 Conclusion

6.8 Leeds City Region Planning Portfolios Board has prepared this Statement of Cooperation for Local Planning to outline the practical steps that are being taken to meet the Duty to Cooperate; the purpose of the Statement is twofold:

- To set out processes and practical steps to be followed going forward, that will strengthen the Leeds City Region authorities' approach to collaborative working;
- To outline the current collaborative work on strategic, cross-boundary issues that is ongoing within the Leeds City Region.

6.2 The Leeds City Region authorities have identified the following high level principles that will influence a joint approach to meeting the Duty to Cooperate:

- **Cooperation throughout the development plan process;**
- **Going beyond consultation;**
- **Taking a pragmatic approach;**
- **Responding to all requests to engage.**

6.3 The Planning Portfolios Board is committed to partnership working to ensure a joined-up approach to spatial planning including tackling cross-boundary issues and agreeing strategic priorities; the Portfolios Board has identified long-term priorities in an ambitious work programme.

6.4 This Statement identifies tools that can be used by authorities to demonstrate cooperation, including the Duty to Cooperate Table, Duty to Cooperate Statements, Statements of Common Ground and Memorandums of Understanding (MoU). This Statement also identifies processes that will support authorities in meeting the Duty to Cooperate; these include a commitment to consulting the Planning Portfolios Board on draft development plans. Some of the processes identified in this Statement are new and are therefore are likely to evolve; it is essential that these processes are adapted as required and it is proposed that this Statement be revised on an annual basis.

6.5 The governance structures within the Leeds City Region are also evolving, how these changes influence joint working on cross-boundary, strategic issues will need to be considered. The recently established West Yorkshire and York Combined Authority is one example.

### West Yorkshire and York Combined Authority

- 6.6 The West Yorkshire Combined Authority, created on 1<sup>st</sup> April 2014, is a statutory body corporate for the geographical area which covers the constituent authority districts of Calderdale, Bradford, Kirklees, Leeds and Wakefield. At the first meeting of the Board on the 1<sup>st</sup> April 2014, York also became a member of the Authority with full voting rights. It is proposed for York to become a constituent authority member of the Combined Authority by as early as April 2015, subject to the passage of a legislative reform order and local agreement.
- 6.7 The Combined Authority has been put in place by local agreement, and underpinned by local public and business support, in order to deliver the ambition of Councils and the LEP to oversee the long term delivery of public economic and transport investment, including the proposed Leeds City Region Economic Investment Fund set out in the City Deal, which includes the West Yorkshire Plus Transport Fund. Committees of the Combined Authority have been established for both transport and economic growth to oversee these two key functions with a view to further collaboration over the wider Leeds City Region area.
- 6.8 Work is ongoing to consider the potential roles of the Combined Authority in relation to the economic growth function taking into account the interrelationship to the Leeds City Region Enterprise Partnership. This could involve joint working around the development and planning agendas. To be effective and to avoid the risk of duplication and confusion, it is recognised that the Combined Authority and the Local Enterprise Partnership for the area must act seamlessly.

## **Appendix A: Interim Strategy Statement**

### **LEEDS CITY REGION INTERIM STRATEGY STATEMENT**

**21 April 2011**

#### **Background**

In July 2010 the government revoked the approved Regional Spatial Strategy for Yorkshire and the Humber. This decision has been contested through the courts with the result that currently, the RSS remains part of the Development Plan albeit with some uncertainty regarding the weight to be attached to it in decision making. In these circumstances there is considerable uncertainty surrounding the strategic policy framework for spatial planning in the Leeds City Region which addresses those matters that are 'bigger than local' and require collaboration between the Planning Authorities in the City Region.

The Government published the Localism Bill in December 2010 this includes a number of changes to the operation of planning legislation. As expected the Bill includes a 'duty to cooperate' on these strategic issues however this part of the Bill is likely to be subject to amendments and its operation will only become clear once the secondary legislation that gives effect to the duty is published. The Bill also deals with the revocation of regional strategies and associated with this in Clause 89 of the Bill is the revocation of orders that have saved policies from existing development plans (the revocation of saved policies may only apply to Structure Plan policy, a clarification is being sought on this). This will particularly affect those authorities who have yet to complete work on their Core Strategies. It is expected that this Bill will become an Act sometime later in 2011.

In the period before the Localism Bill becomes an Act there is a need for an interim strategy position to help manage the uncertainty on strategic policy and to make clear the continuing support for the policy principles in the RSS that support shared objectives across the City Region. Furthermore depending on the eventual content of the Act there may well be a longer period of time before the Local Planning Authorities can give effect to what ever procedures are put in place in the Act and to address the duty to cooperate and the potential gap created by the loss of previously saved policies

The City Region Partnership had been working on a city region strand for the wider Yorkshire and Humber Strategy that was being prepared by the Yorkshire and Humber Joint Board. This Yorkshire and Humber Joint Board was dissolved and its strategy work ceased following the general election. However the City Region decided that it is important to continue work across the city region on a strategy and investment plan that would bring greater coherence to policy and investment activities of the City Region Partnership and would support the development of the City Region Local Enterprise Partnership. The development of the interim strategy statement for spatial planning is seen as part of this wider strategy development activity.

#### **Proposed Interim Strategy Statement**

The 10 Local Planning Authorities in the City Region Partnership that are required to prepare LDF Core Strategies (NYCC the eleventh local authority is a planning authority in respect of minerals and

waste only) have all used the RSS as a starting point for their Core Strategies and support the urban transformation ambition that is at the core of the RSS. Where there are adopted Core Strategies (Harrogate and Wakefield) those documents have a strong policy relationship with the RSS. Authorities who have not yet reached that stage are reviewing the relevance of the RSS approach in their ongoing work on Core Strategies. All authorities recognise that the policies in the former RSS which articulate the urban transformation ambition, should provide the start point for an interim strategy statement. Along with policies that safeguard the environmental assets of the city region and the key spatial investment priorities that are set out in the already agreed city region strategies.

### **Policy approach in the strategy**

The authorities in the partnership continue to support the broad policy thrust of the former RSS and the principles of urban transformation contained in the Plan. To ensure these principles are retained the authorities propose to include the following policies from the approved RSS that address spatial principles in a City Region Interim Strategy Statement.

#### Spatial Principles

Policy YH1 Overall approach and key spatial priorities (as these apply to the Leeds City Region)

Policy YH2 Climate Change and Resource use

Policy YH3 Working Together (as this applies to the Leeds City Region)

Policy YH4 Regional Cities and sub regional cities and towns

Policy YH5 Principal Towns

Policy YH6 Local service centres and rural (and coastal) areas (as these apply to the Leeds City Region)

Policy YH7 Location of Development

Policy YH8 Green Infrastructure

Policy YH9 Green Belt (as this applies to Leeds City Region)

#### Thematic Policies

To ensure that the city region's environmental assets are effectively safeguarded the following thematic policies from the RSS will be included in the City Region Interim Policy Statement.

ENV1 Development and Flood Risk

ENV2 Water Resources

ENV3 Water Quality

ENV6 Forestry, Trees and Woodland

ENV7 Agricultural Land

ENV8 Biodiversity

ENV9 Historic Environment

ENV10 Landscape

#### H4 Affordable housing

##### City Region thematic strategies

The strategy statement also captures the spatial implications of key strategic investment priorities in the city region, set out below. These priorities should be reflected in Core Strategies and other Development Plan Documents.

*Housing and Regeneration Strategy and Investment Plan* - This strategy and investment Plan has four Key Priorities for Investment:

- Accelerated strategic growth where investment will support the growth areas in Barnsley Wakefield and Calderdale
- Promoting eco living where investment will support the delivery of:
  - the four Urban Eco Settlements: Aire Valley Leeds, York Northwest, Bradford-Shipley Canal Road Corridor, and North Kirklees / South Dewsbury; and
  - the Leeds City Region Domestic Energy Efficiency Programme to eco-retrofit the existing housing stock across the city region.
- Delivering strategic urban renewal which will support the growth and regeneration ambitions in the Leeds-Bradford Corridor, Green Corridor and Kirklees A62 Corridor.
- Supporting rural economic renaissance in the Colne and Calder Valleys

*Leeds City Region Transport Strategy* - This strategy describes three broad spatial priorities for transport investment:

- Priority A transport links beyond the city region
- Priority B developing the roles of the sub regional cities and towns and priority areas for regeneration and housing growth
- Priority C strengthening the service roles of principal towns

*Leeds City Region Green Infrastructure Strategy* -The strategy:

- Identifies the value of green infrastructure assets and the case for investing in them
- Ensures green infrastructure complements other city region investment priorities
- Establishes the current priorities for green infrastructure investment
- Impels planning and housing policy work to support widespread improvements in green infrastructure

#### **Further Work to develop the Strategy**

Clearly, what is set out is an interim position and there will need to be further work in the context of the commitment to produce a broadly based but economic-led City Region Strategy and Investment Plan.

The RSS included policies on the quantum and distribution of development, which have not been addressed in the interim strategy statement. The local authorities within the city region partnership have all undertaken reviews of the evidence that underpins these policies as part of their plan-making activities. Those authorities that have undertaken reviews in the past 12-18 months have taken account of the local implications of the range of factors that have led to a dramatic slow down in rates of development. These local reviews have led to different conclusions regarding the

capacity of an area to deliver development. The partnership will work with individual authorities to help develop our collective understanding of the social and economic factors that are driving the need and demand for development, and the financial, economic and delivery factors that are restricting the ability to meet the need and demand for development. We will use our improved understanding of these factors in the development of a second iteration of the strategy statement that will examine quantum and distribution of development and is expected to form part of the wider economic led city region strategy.

All this work will contribute to a more rounded Strategy Statement

Leeds City Region Secretariat

Regional Policy Team

Leeds City Council

Civic Hall

Leeds

LS1 1UR

## Appendix B: Leeds City Region Partner Development Plans' Status

(June 2014)

<b>Barnsley</b>	Core Strategy	Adopted Sept 2011
	Development Sites & Places	Consultation draft June 2013
	Combined Local Plan	September 2014
<b>Bradford</b>	Core Strategy	Publication Draft approved by Council Dec 2013
		Published for Representations Feb/March 2014
		Submission anticipated Sept 2014
<b>Calderdale</b>	Local Plan	Preferred options Oct 2012
		Publish Local Plan Sept 2014
<b>Craven</b>	Local Plan	Early engagement June / July 2013
		Further engagement 2014 on pre-publication draft
<b>Harrogate</b>	Core Strategy	Adopted Feb 2009
	Sites & Policies DPD	Submission draft consultation June 2013
		Submitted Nov 2013
		Examination April 2014
		Full council meeting May 2014 to discuss whether to withdraw DPD (concerns over objective assessment of housing need)
<b>Kirklees</b>	Core Strategy	Submitted April 2013
		Pre Inquiry hearing Oct 2013
		Withdrawn Nov 2013 to undertake further work
<b>Leeds</b>	Core Strategy	Examination Oct 2013/May 2014
		Initial view on main modifications Jan 2014 and final modifications received from inspector 6 <sup>th</sup> June. Final report expected August
	Site Allocations	Issues and options published – reps received
	CIL	Examination 3 <sup>rd</sup> June 2014, report expected August
	Natural Resources and Waste DPD	Minerals and Waste Plan adopted January 2013

<b>Selby</b>	Core Strategy	Adopted October 2013
		Legal challenge to Core Strategy raised December 2013
		High Court Hearings 10-14 July 2014
	Site Allocations Plan (the Sites and Policies Plan – SAPP)	Proceeding to Issues and Options autumn / winter 2014
<b>Wakefield</b>	Core Strategy & Dev. Policies	Adopted April 2009
	Sites Specific Policies	Adopted Sept 2012
<b>York</b>	Local Plan	Consultation on sites spring 2014
		Autumn 2014 submission draft
<b>North Yorks</b>	Joint Minerals & Waste Plan NYCC NYNP & CYC	Early engagement ongoing
		Consultation 2014
	Marine Aggregates Study	Draft Nov 2013
		Finalised May 2014



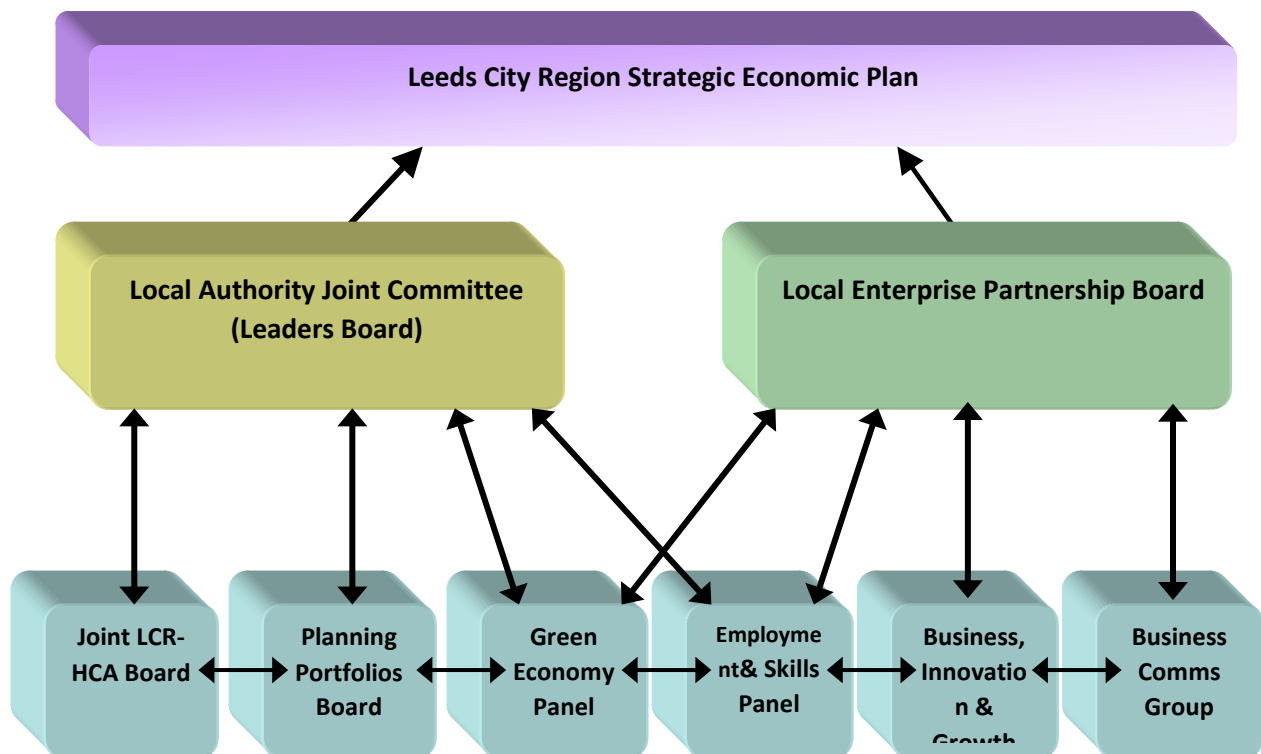
## Appendix C: Duty to Cooperate Table Template

Ref	Strategic Issue	Impact	Areas affected	Evidence	Resolution / Mitigation	Monitoring	Actions / Response	NPPF Para 156 link
<i>Ref</i>	<i>Summary of the issue (the topics below should all be considered along with any other locally identified strategic priorities).</i>	<i>Description of why it is an issue for neighbouring authorities / stakeholders.</i>	<i>Details of the authorities / stakeholders affected by the issue.</i>	<i>Evidence to show there is an issue (including links to source documents)</i>	<i>Details of how the issue can be overcome or managed</i>	<i>How the issue will be monitored including key indicators and trigger points</i>	<i>Agreed actions (including who lead &amp; timescale)</i>	<i>Relevant strategic priority in <a href="#">para 156</a></i>
	Housing							
	Employment							
	Retail / Leisure Commercial							
	Physical Infrastructure: Transport							
	Physical infrastructure: Other							
	Minerals							
	Energy							
	Social Infrastructure							
	Climate Change							
	Natural Environment							
	Gypsies and Travellers							
	Waste							

## Appendix D: Leeds City Region Governance & Operational Groups

The Leeds City Region has worked in Partnership since 2004 when the Leaders of the eleven local authority partners decided that strategic economic policy and delivery would be best served by collaborating at the functional economic area level, which is the Leeds City Region, rather than based on administrative areas. The Leeds City Region Partnership is founded on collaboration, evidence based policy and implementation, and following the establishment of the Leeds City Region Enterprise Partnership (LEP), has seen an increased focus on delivery. The following are key milestones for the Partnership:

- Leeds City Region Concordat (2004)
- Establishment of the Leeds City Region Leaders Board (2007)
- Leeds City Region Multi Area Agreement with Government (2008)
- Leeds City Region Forerunner agreement with Government (2009)
- Establishment of the Leeds City Region Enterprise Partnership (2011)
- Leeds City Region LEP Plan (2011)
- Leeds City Region City Deal with Government (2012)
- Leeds City Region Enterprise Partnership Strategic Economic Plan (March 2014)



The diagram above provides an illustration of the Leeds City Region Governance Framework as it currently stands; it excludes the Combined Authority arrangements which are subject to confirmation:

#### The Leeds City Region Partnership (Leaders Board Joint Committee)

The Leeds City Region Leaders Board brings together the elected leaders of the 11 partner councils to take strategic decisions on behalf of the Leeds City Region. The Board has been legally constituted as a Joint Committee since 2007 and is governed by an annually agreed set of procedures and protocols, central to which is the principle of 'one member, one vote'. A key role of the Leaders Board has been to provide an overview and a level of continuity for strategic planning. The Leaders Board also sets direction and oversees delivery on transport, housing, regeneration and the green economy in partnership with the Leeds City Region Enterprise Partnership Board.

#### The LEP Board

The Leeds City Region LEP Board brings together the private and public sectors in a unique partnership to drive economic growth and competitiveness. The LEP is charged with directing its efforts to facilitating and creating the environment for economic growth. The LEP Plan expressly provides that the LEP and Leaders Board will work together to unlock the growth potential of the City Region economy by providing the cross-sector leadership required and developing a framework for delivery with partners. The LEP Plan provides that activity will be clearly aligned to achievement of the planned growth targets. It will also align with national priorities for sustainable economic growth and will build on local economic priorities. There is therefore a direct and substantive link between the activities of the LEP and Strategic Planning in the City Region.

The Leeds City Region Enterprise Partnership's recent Strategic Economic Plan submission to Government (March 2014) provides the most recent overarching strategic policy framework and investment priorities to drive and accelerate economic growth and competitiveness across the city region.

#### Business, Innovation and Growth Panel

The Business, Innovation and Growth (BIG) Panel will act as the designated body, on behalf of the Local Enterprise Partnership, (LEP) to:

- devise objectives, in line with the LEP's economic strategy, to drive business growth in the Leeds City Region, focusing on international trade, inward investment, innovation, and supporting SME growth;

- deliver against these objectives by commissioning and overseeing key projects and work programmes;
- provide oversight with UKTI to the international trade and investment elements of the Leeds City Region Deal through its additional function as the Leeds City Region Joint Trade and Investment Board.

The Panel is industry-led to ensure that its work is driven by the needs of business, and that interventions meet the existing and future needs of the Leeds City Region economy. The BIG Panel forges strong links with a broad coalition of partners to drive delivery of the LEP's economic plan. In particular it has links with: local authority economic development teams; HEI knowledge transfer departments; government departments and agencies including BIS, UKTI, the TSB and Nesta; inward investment and destination marketing agencies; business representative organisations and delivery agencies; and other relevant partners.

#### Employment and Skills Panel

The Employment and Skills Panel brings together policy-makers, delivery partners and employers in key business sectors. It works closely with the Leeds City Region Skills Partnership to achieve the LEP's aims. Research and analysis that has been commissioned by the Panel includes an analysis of the city region labour market (2013), a skills report and a skills plan (2013-15).

The Employment and Skills Panel brings together employers in key sectors, skills providers, funding agencies, policymakers and local authority leaders. It works closely with the Leeds City Region Skills Network to better align skills provision to the needs of employers and to support delivery of the LEP's Skills Plan and priorities. The Panel has commissioned significant employer research to identify need in 2012, publishes an annual assessment of the city region labour market and has developed a Skills Plan (2013).

The Panel has been instrumental in securing c.£40m of funds to support the delivery of employment and skills programmes across the city region. Its private sector representatives play a key role either as Task Group leaders or as champions for their sectors – helping to identify and address particular skills challenges affecting businesses within their sectors.

#### Leeds City Region HCA Board

The Leeds City Region Homes and Communities Agency (LCR HCA Board) is a joint board between the Leeds City Region Partnership and the Homes and Communities Agency. The LCR HCA Board

oversees the delivery of strategic housing and regeneration policy and delivery of projects and programmes, as set out in the Housing and Regeneration Investment Plan and associated strategies. The Board is responsible for advising the Partnership on levels of housing and regeneration investment needed, and influences the distribution of HCA and other housing and regeneration investments across the City Region.

#### Business Communications Group (BCG)

The BCG is responsible for communicating information about the LEP's work to the business community, and acts as an advisory group to the LEP Board about barriers to growth. The group includes representation from the Chamber of Commerce and the private sector.

#### Green Economy Panel

The Leeds City Region Green Economy Panel sets direction and oversees delivery on the Smart Resources agenda, particularly in relation to low carbon and sustainable energy matters. The Panel's core objective is to achieve a substantial and continued decrease in carbon emissions, alongside an increase in GVA and employment. Panel members represent both the public and private sectors.

#### The Planning Portfolios Board

The Planning Portfolios Board has Councillor representation from each LPA (and Senior Officer support), it was established specifically to provide political oversight on strategic planning matters and the Duty to Cooperate, advising the Leeds City Region Leaders Board and Leeds City Region Enterprise Board on appropriate actions that could / should be taken in respect of these planning matters. The Board is tasked with providing political oversight for matters relating to the Partnership's role in supporting authorities in ensuring compliance with the legal requirements of the Duty to Cooperate.

## **Appendix E: Draft Terms of Reference: Planning Portfolios Board**

### **1.0 MEMBERSHIP**

- 1.1 The cabinet member who holds the responsibility for Strategic Planning and the Development Plan from each authority within the Partnership (or appropriate substitute).
- 1.2 The Head of Planning from each authority (or an appropriate substitute) may attend meetings in an advisory capacity.
- 1.3 The Chair and Deputy for the group shall be selected from amongst the membership. These roles shall rotate on a yearly basis

### **2.0 ROLE OF THE GROUP**

- 2.1 The proposed role of the Group is:

***To provide political oversight on strategic planning matters and the Duty to Cooperate, advising the Leeds City Region Leaders Board and Local Enterprise Board on appropriate actions that could / should be taken in respect of these matters.***

- 2.2 Strategic Planning is defined as any matter relating to sustainable development, infrastructure planning and land use planning that affects more than one local authority within the partnership. Some issues may also be reported to the Leeds City Region HCA Board as appropriate.
- 2.3 The group will in particular provide political oversight for matters relating to the Partnership's role in supporting authorities in ensuring compliance with the legal requirements of the *Duty to Cooperate* (S110 of the Localism Act).

### **3.0 FREQUENCY OF MEETINGS**

- 3.1 It is proposed that the group shall meet 4 times a year with meetings timed to enable matters to be taken to the Leaders Board and LEP Board in a timely fashion.

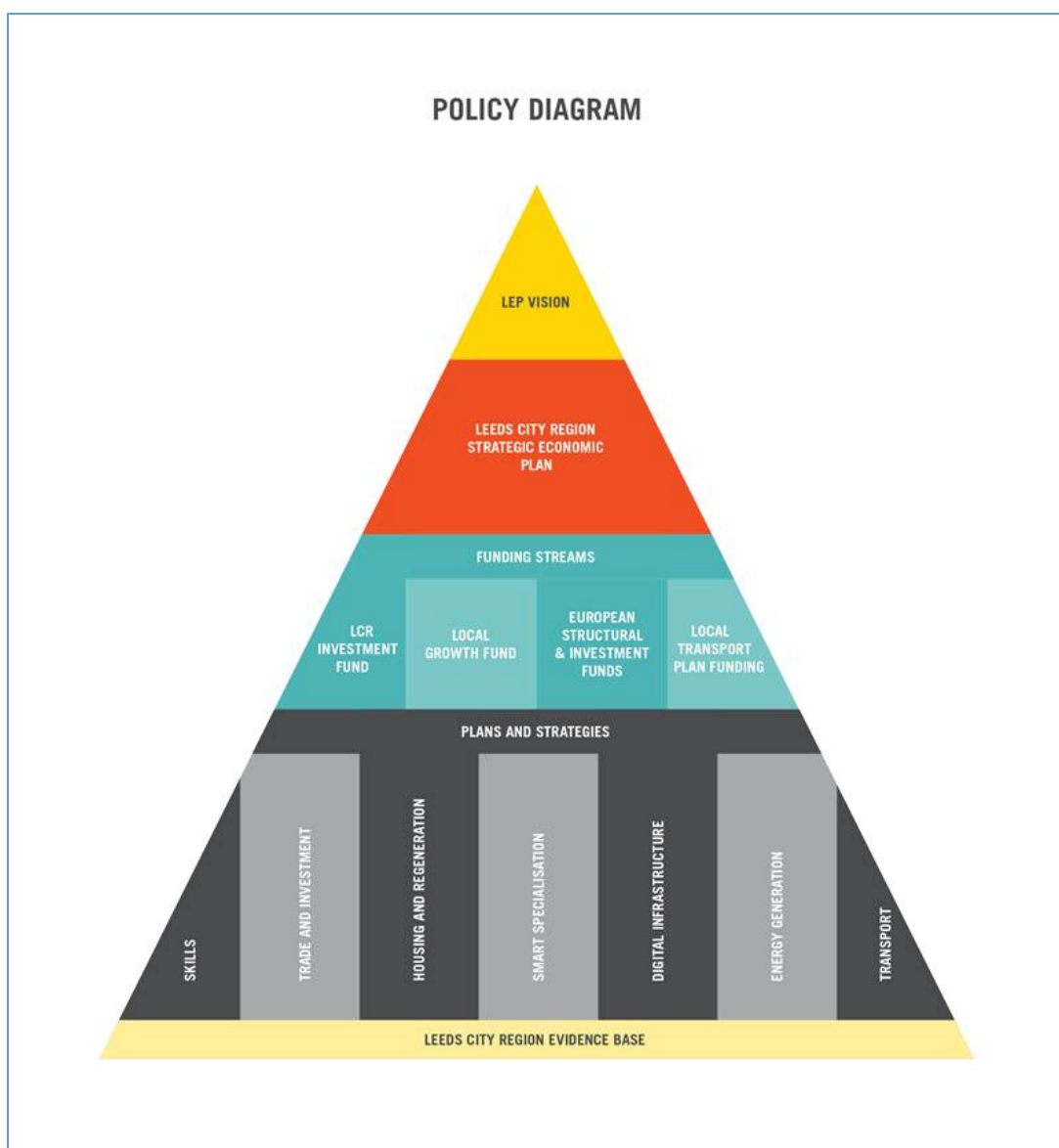
### **4.0 OFFICER SUPPORT**

- 4.1 The Leeds City Region Secretariat shall provide officer support with the lead for this support being the Head of Infrastructure and Investment.
- 4.2 The Leeds City Region Heads of Planning Group will provide the wider officer support undertaking tasks as requested by the Leeds City Region Planning Portfolios Group on strategic planning matters.
- 4.3 Agenda and papers will normally be circulated at least 7 days in advance of the meetings.

## Appendix F: Leeds City Region Evidence Base

### Introduction

Over the course of the 10 years of the Leeds City Region partnership, a robust and comprehensive evidence base has been produced. This has been continuously updated and refined, and has formed the basis for the suite of strategy documents (e.g. Housing and Regeneration Strategy and Investment Framework; Connectivity Strategy; Green Infrastructure Strategy; Skills Strategy etc.) and plans upon which Leeds City Region policy is based. These strategy and policy documents, summarised in the diagram below, have formed the basis of the interventions proposed in our Strategic Economic Plan.



- Additionally, as part of the Strategic Economic Plan process we have commissioned new work where we felt our evidence needed refreshing, or where there were gaps in our knowledge.
- The list below provides a synopsis of the key LEP policy, strategy and evidence documents and, where available, a link to an online version.

## Leeds City Region LEP Policy, Strategy and Evidence Documents

### Overarching strategy and policy documents

- **Strategic Economic Plan** - in which we set out our long-term vision and ambitions for the City Region economy. It also sets out what support we are asking for from the government to help us achieve this vision, in terms of both funding from the Local Growth Fund, and additional freedoms and flexibilities to give us the power to deliver on our ambition.
- **Leeds City Region European Structural and Investment Funds Strategy (2014)** - complements our SEP and describes local needs and opportunities, desired outcomes and the rationale for proposed projects and programmes for our ESIF strategy for 2014-20.
- **Leeds City Region Investment Plan (2013, not published)** - sets out the ways in which we envisage that public and private investment will play their part in achieving our vision as set out in the LEP Plan.
- **Leeds City Region City Deal (2012)** – our landmark deal with government giving the City Region and its partner local authorities greater control over spending and decision-making to ensure interventions are in line with what our economy needs.
- **Leeds City Region LEP Plan (2011)** - the LEP Board’s vision and strategy for growth across the City Region – was agreed in 2011 and sets the overall strategic parameters for our work.

### Thematic policies, strategies and evidence

- **Trade & Investment Plan (2014, publication forthcoming)** – details how the LEP intends to increase inward investment into and exports from Leeds City Region.
- **Housing & Regeneration Strategy (2009, refreshed 2014)** – a refresh of our 2009 Housing & Regeneration Strategy – sets the context for future investment decisions by recognising market conditions (where they relate to both challenges and opportunities) and strategy drivers.
- **Housing & Regeneration Investment Framework (2010)** – sets out the strategic investment priorities for major housing and regeneration schemes across the city region.
- **Leeds City Region Skills Plan (2013)** – sets out how the LEP intends to achieve its aim of creating a skilled and flexible workforce to support improved productivity and jobs growth.
- **Leeds City Region Labour Market Analysis (2013)** - presents the state of the City Region labour market within the context of its economy. It shows the key supply and demand side challenges, the strengths and weaknesses and prospects for growth.
- **West Yorkshire plus Transport Fund –a draft prospectus for change (2013)** - outlines our City Deal and provides a summary of the West Yorkshire plus Transport Fund schemes, explaining their job creation potential and contribution towards economic growth.
- **Digital Infrastructure Plan (2012)** – sets out how over the next 20 years the City Region intends to develop its digital infrastructure to maximise exploitation of digital communications technology and boost its economic competitiveness.
- **Advanced Manufacturing in Leeds City Region (2012)** - analysis of the advanced manufacturing sector in the City Region detailing the size and characteristics of the sector, and its prospects for growth.
- **Beyond Borders: Report on Leeds City Region Exports (2012)** – joint report with local Chambers of Commerce considering how to encourage more businesses to start exporting and support existing exporters in targeting new international markets. It includes the identification of potential new markets, and analysis of the barriers to exporting.



- **My Journey: West Yorkshire Local Transport Plan 2011-2026 (2012)** - outlines the West Yorkshire Local Transport Plan (LTP) for 2011 to 2026. The LTP is the statutory plan for transport in West Yorkshire and sets out the needs, ambitions and strategy over a relatively long period of time as well as detailed spending proposals in the first three years.
- **City of York Local Transport Plan 2011 – 2031 (2011)** - sets out the transport policies and measures that will contribute to the city's economic prosperity over the next 20 years, whilst meeting challenging national and local targets for reducing emissions.
- **Leeds City Region Mini-Stern Review (2011)** - reviews the cost and carbon effectiveness of a wide range of low carbon options. Explores the scope for their deployment, their associated investment needs, financial returns and carbon savings, and the implications for the economy and employment.
- **Leeds City Region Green Jobs report (2011)** - analysis of the green jobs sector in the City Region, including a summary of regional assets, renewable & low carbon energy capacity projections, existing green jobs, higher & further education sectors, growth opportunities and vulnerable sectors.
- **Leeds City Region Business Survey (2011)** – locally-commissioned survey of businesses across the City Region, providing analysis of business attitudes consistent with the National Business Survey.
- **Green Infrastructure Strategy (2010)** - analysis of the City Region's green infrastructure and natural assets, presenting a strategy focusing on how this green infrastructure can deliver our sustainable urban growth agenda.
- **Leeds City Region Transport Strategy (2009)** – identifies the main issues and priority challenges for transport in Leeds City Region, the wider policy and spatial outcomes that transport needs to support, and a framework for developing interventions.
- **Leeds City Region Key Sector Strategy (2014, publication forthcoming)** - identifies the key sectors which can play an important role in driving growth within the City Region, and the assets, leading businesses and opportunities within them.
- **Leeds City Region Smart Specialisation Strategy (2014, publication forthcoming)** - analysis of the City Region's innovation assets, strengths, weaknesses and opportunities, and sets out the City Region's strategy to drive greater levels of innovation and implement smart specialisation across the City Region.
- **Leeds City Region low carbon energy investment roadmap (forthcoming)** – analysis of the opportunities for low carbon energy generation in the City Region to define the LEP's investment priorities.
- **Leeds City Region Economic Assessment (2014, publication forthcoming)** – assessment of the economic situation across Leeds City Region, including analysis of trends over the past decade and comparison of economic performance against England and other areas.
- **West Yorkshire Local Aggregates Assessment (2014)** – to be finalised.
- **North Yorkshire and York Local Aggregates Assessment (2014)** - Local Aggregate Assessment for the North Yorkshire Sub-region was also finalised and submitted to the (regional) Aggregates Working Party in May 2014.

## **Appendix G: Leeds City Region Planning Charter for Major Investment Proposals (2012)**

**The Leeds City Region Local Enterprise Partnership has developed a charter which sets out how the Local Planning Authorities and Developers will work together to ensure that proposals for major new investments will be dealt with in an efficient and effective way throughout the city region. The Charter represents the first step towards creating a seamless service for investors wherever they choose to locate in the city region.**

### **Definitions**

What is a major investment proposal?

- They are of major strategic significance in terms of one or more of the following; job growth, investment value and regeneration. Clearly the scale of this will be different in different parts of the city region, for instance the scale of proposal that is strategically significant in Bradford or Harrogate would be different. Each authority will set out which applications will be subject to the Charter;
- Or are proposals that are eligible for large scale, time limited, public funds.

### **The Charter Pledge**

Charter Pledge sets out clearly what the developer can expect from the Local Authority and vice versa.

#### **Local Authorities will:**

- Work together to ensure and maintain a comprehensive and up to date Development Plan framework. This will:
  - Enable the delivery of the priorities in the LEP Plan;
  - Provide certainty over development opportunities;
  - and help inform investment decisions.
- The Local Authority will nominate a project co-ordinator to lead the process in conjunction with the Developer. The Local Authority nominee will:
  - Agree with the Developer a timetable and milestones for the application to deliver a decision in the shortest period of time practicable;
  - Set out requirements for consultation (internal and external) and work with the Developer to ensure appropriate pre application public consultation takes place;
  - Set out the Local Authority's aspirations for any legal agreement and land transactions;
  - Maintain a regular dialogue with the developer and ensure changes required by either the local authority of the Developer are made promptly.

- Work in partnership with customers and stakeholders to bring forward successful applications that deliver high quality sustainable development.
- Work with customers to understand their business needs and development proposals to ensure that everyone involved understands scheme viability and deliverability.
- Undertake regular reviews, led by the Local Authorities, of the service we deliver in conjunction with customers giving all involved opportunity to shape future delivery.

**Developers will:**

- Agree a Project Plan, including key stages and milestones, which take into account the need for discussion and review to take place, keeping the Council informed of progress at all key stages.
- Undertake an urban design analysis to inform the evolution of the scheme and the subsequent development of the design and access statement.
- Engage in meaningful pre application discussions, with adequate time allowed for the preparation of essential information and assessment proposals, including appropriate community consultation.
- Respond within the agreed timescales to requests for further information and/or revisions.
- Attend project meetings with relevant persons.
- Submit a complete planning application with appropriate supporting information as agreed with the Council, including a draft legal agreement where appropriate.

The Local Enterprise Partnership Board will receive regular reports on the performance of the agreement and will review it as required.

## **Appendix H: South Pennine Memorandum of Understanding on Renewable Technologies**

### **PURPOSE**

This Memorandum of Understanding establishes a framework for cooperation between South Pennine local authorities with respect to strategic planning and development issues relating to renewable energy, in particular wind energy. It is framed within the context of the Section 110 of the Localism Act 2011 and the duty to cooperate in relation to the planning of sustainable development. It sets out the way in which the authorities have, and will continue to, consult one another and work together on matters which affect the South Pennine area.

In line with the National Planning Policy Framework, particularly paragraphs 97 and 98, Planning Authorities will seek to take a positive approach to renewable energy development both in development planning and management. This will include taking opportunities to maximise strategic cross-border benefits as well as ensuring that any potential negative impacts are minimised or avoided.

### **PARTIES TO THE MEMORANDUM**

The Memorandum is agreed by the following Local Authorities:

*Insert names*

### **OBJECTIVES**

The Memorandum has the following broad objectives:

- To help secure a process and framework enabling a consistent strategic approach particularly to Wind Energy and also to other Renewable Energy issues as appropriate; including development management, strategic planning and monitoring between neighbouring local authorities
- To enable a sharing of information and views and, where appropriate, to facilitate joint working on strategic issues which affect more than one local authority area
- To facilitate joint research and procurement between neighbouring authorities
- To facilitate strategic cooperation and partnership on issues of shared interest with statutory consultees such as the Environment Agency, Natural England and English Heritage and other key consultees including planning, delivering, managing and mitigating renewable energy and its impacts

### **TOPIC ISSUES**

The principal topics where cooperation are considered to be valuable are:

- Effective and timely consultation on planning applications, EIA Screening Opinions and Environmental Scoping Reports of cross-border significance in the South Pennines and related areas
- Development of mutually consistent databases on planning applications to enable “cumulative impact” issues to be addressed particularly on wind energy but also other technologies
- Consistent application of landscape character assessments such as the “Julie Martin Study” (or successor documents); the Peak District National Park Landscape Strategy and Action Plan and,

as appropriate, other evidence base documents or cross-border landscape studies, when assessing planning proposals

- Joint procurement of evidence base documents and professional expertise where this would bring economies of scale and be mutually beneficial
- An approach to Planning Policy development and Development Management that takes into account as appropriate cross border effects on:
  - Landscape and visual impact
  - Cumulative impact
  - Historic landscape character
  - Ecology including flora, fauna and peat
  - Water supply, hydrogeology and flood risk
  - Recreational assets, bridleways and footpaths
  - Green infrastructure
  - Noise
  - Cultural and built heritage
  - Shadow Flicker
  - Socio-economic benefits
  - Access and grid connections
  - Telecommunications and radar
- Cooperation on planning issues relating to the implementation of renewable networks such as District Heating schemes; energy from waste or biomass particularly where these are identified in studies such as the Greater Manchester, Yorkshire and Humber, Lancashire and East Midlands Renewable and Low Energy Studies and have clear cross-border affects
- Joint working as appropriate on policy development and implementation relating to low carbon development including Allowable Solutions and Zero Carbon development
- Consultation on Local Plan policies and SPD's on renewable energy beyond immediate neighbours where proposals are innovative or of wider interest
- Support as appropriate at Planning Inquiries
- Information sharing on current "good practice" at local and sub-regional level

#### **MECHANISMS FOR COOPERATION**

- Regular meetings will be held (at least 3 times per year) with special meetings if necessary, such as when triggered by an application of major cross-border significance or other specific issues of common interest
- Renewable energy databases will be regularly updated and circulated in particular to inform Local Authority Monitoring Reports
- Consultations on wind energy planning applications, Screening Opinions and Environmental Scoping opinions with neighbouring planning authorities will occur in the following circumstances:
  - Affected neighbouring authorities where the Zone of Visual Influence shows an impact on land outside the host authority area
  - Where there are significant impacts on Recreational Trails of sub-regional or greater significance

- Consultations on non-wind renewable energy applications and Environmental Scoping Opinions will be considered on a case by case basis
- Liaison on development of Planning Policy documents and SPD's
- Sharing of development management policies and validation requirements to facilitate a standardised approach to planning applications across the South Pennines

## **LIMITATIONS**

The Local Authorities recognise that there will not always be full agreement with respect to all of the issues on which they have agreed to cooperate. For the avoidance of doubt, this Memorandum shall not fetter the discretion of any of the local authorities in the determination of any planning application, participation in evidence base studies or in the exercise of any of its statutory powers and duties.

Signed:

Organisation:

Position:

Date:

## **Annex One – Background Context**

### **BACKGROUND**

The South Pennine landscape straddles the borders of Greater Manchester, Derbyshire, Lancashire and North, West and South Yorkshire. Upland areas are particularly attractive for wind energy developments, ranging from very large wind farms to small individual turbines. While parts of the area such as the Peak District National Park, Forest of Bowland Area of Outstanding Natural Beauty and the South Pennine Special Protection Area/Special Area of Conservation are subject to national landscape or conservation designations substantial areas are not. Issues of cumulative visual impact from wind energy proposals are the major cross-border issue and were clearly identified in the "Landscape Capacity Study for Wind Energy Developments in the South Pennines" (2010) commissioned jointly from Julie Martin Associates by a number of authorities. There is a history of cross-border consultation on renewable energy dating back to the early 1990's through the Standing Conference of South Pennine Authorities (SCOSPA).

While wind power is the dominant cross-border energy issue other forms of renewable energy that are being developed in the area include solar power, biomass and small scale hydro. These can have localised cross-border impacts. Opportunities for development were identified in the jointly commissioned "Renewable and Low Carbon Energy Study" (Maslen 2010). Other separate studies exist for the East Midlands (LUC, CSE and SQW 2011) Greater Manchester (Aecom 2009), Lancashire (SQW/Maslen 2011/12) and Yorkshire and Humber Low Carbon and Renewable Energy Capacity Study (Aecom 2011).