


## NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1<sup>st</sup> December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I Helen Dyke, as Strong Leader, delegate the decision to approve the South Staffs District Council statement of common ground to the Cabinet Member detailed below:

Cabinet Member- Helen Dyke

Dated: 15<sup>th</sup> December 2022

Signed:... 

Leader of the Council

**WYRE FOREST DISTRICT COUNCIL****Draft Statement of Common Ground between Wyre Forest District and South Staffordshire District Council December 2022**

<b>OPEN</b>	
<b>CABINET MEMBER:</b>	Helen Dyke Leader of the Council and Cabinet member for Economic Regeneration, Planning and Localism
<b>RESPONSIBLE OFFICER:</b>	Heather Stone Principal Planning Policy Officer
<b>CONTACT OFFICER:</b>	Heather Stone Principal Planning Policy Officer
<b>APPENDICES:</b>	Draft Statement of Common Ground

**1. PURPOSE OF REPORT**

- 1.1 To seek agreement to the content of the draft Statement of Common Ground (appended to this report) which has been prepared by South Staffordshire District Council and amended by officers at WFDC
- 1.2 Furthermore, to seek agreement from members to give officers delegated authority for the drafting of wording for subsequent Statements of Common Ground

**2. RECOMMENDATION**

The Leader of the Council is asked to:

- 2.1 **Agree the Draft Statement of Common Ground, as amended by officers, for Submission to South Staffordshire District Council and**
- 2.2 **Agree delegated authority be given to the Head of Strategic Growth to final wording for this Statement of Common Ground in the event that any further changes are required**

**3. BACKGROUND**

- 3.1 South Staffordshire District Council launched their Regulation 19 Publication Plan Consultation on 11/11/2022 for 6 weeks. As part of the background papers for this consultation, officers at South Staffordshire have had to provide evidence that they have fulfilled the Duty to Cooperate with neighbouring authorities.
- 3.2 Although, SSDC and WFDC are in separate Housing Market Areas, WFDC are members of the Greater Birmingham and Black Country Housing Market Area Technical Officers Group. WFDC is also party to a separate SoCG relating to the housing shortfall across this wider area.

**4. KEY ISSUES**

- 4.1 A draft Statement of Common Ground (SoCG) has been drawn up by officers from South Staffordshire District outlining the key cross-boundary planning issues between South Staffordshire and Wyre Forest. These include housing, employment, cross boundary transport impacts, infrastructure, matters relating to the historic and natural environment and gypsy and traveller provision.
- 4.2 There are no specific housing related highways or infrastructure cross boundary issues as the 4 strategic proposed housing site allocations are not in close proximity to Wyre Forest.
- 4.3 In terms of employment land, the South Staffordshire Local Plan 2018-2039 proposes to deliver sufficient employment land to meet its own needs as well as providing a surplus.
- 4.4 There are also no cross-boundary issues identified for Kingsford Country Park/Kinver Edge although they straddle the WFDC and SSDC boundary.
- 4.5 There is, however, disagreement surrounding the shortfall in gypsy pitches within South Staffordshire.
- 4.6 The South Staffordshire Gypsy and Traveller Accommodation Assessment (August 2021) identified a 121 pitch need over the plan period (2018-2039), with 72 being required in the first 5 years. A study looking at the potential for new public sites on public land only identified a further 37 pitches, leaving a very significant shortfall.
- 4.7 SSDC wrote to all adjacent and GBBCHMA authorities requesting assistance in January 22 and again in August through the provision of new/expanded publicly run sites. WFDC responded that there were no suitable sites available which could assist SSDC. Newly allocated sites/limited site expansions could only provide enough pitches to meet the needs of Wyre Forest.
- 4.8 It is SSDC's view that it is currently unclear as to what extent WFDC may or may not be able to assist in meeting unmet pitch need arising from SSDC as public land within Wyre Forest needs to be assessed to see if there are any additional suitable sites. Officers at WFDC do not agree that WFDC should be expected to undertake a further assessment in order to ascertain if there are any potential publicly-owned sites which could be suitable for allocation to provide pitches to meet the shortfall arising from South Staffordshire. WFDC's Local Plan was adopted in April 2022 and as part of this a Gypsy and Traveller Accommodation Assessment (GTAA) was completed in late 2020. The GTAA concluded that Wyre Forest only had sufficient plots for its own gypsy and traveller needs with the only suitable publicly owned site allocated in the Local Plan, the land at the rear of Zortech Avenue (policy SA.K17 of the WFDC Local Plan 2016-2036) to meet this need.
- 4.9 Therefore, WFDC officers have suggested an amendment to the SoCG, which is as follows:

*WFDC disagree that it needs to conduct a further Gypsy and Traveller site assessment) at the current time. The WFDC Gypsy and Traveller Accommodation Assessment was completed in late 2020, as part of the now adopted Local Plan (adopted April 2022). The conclusion of the GTAA was that adequate provision was made for the duration of the plan period. There are no other public sites in WFDC ownership that can be allocated. Therefore, based on these factors, WFDC does not consider it necessary to revisit the site assessment as part of the SSDC SoCG process.*

**5. FINANCIAL IMPLICATIONS**

- 5.1 The costs are minimal and mostly relate to staff time. These will be met by existing budgets.

**6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 The duty to co-operate is enshrined in legislation (Localism Act 2011) but it does not require local authorities to reach agreement where this is not possible.

**7. EQUALITY IMPACT NEEDS ASSESSMENT**

- 7.1 Not applicable

**8. RISK MANAGEMENT**

- 8.1 Non-participation in the preparation or failure to approve a Statement of Common Ground with neighbouring authorities could make it difficult for Wyre Forest District Council to demonstrate, in any future Local Plan Review, that it has met the Statutory Duty to Cooperate. There is also the risk that neighbouring authorities will be unwilling to enter into discussions during future local plan reviews if we have been unwilling to discuss issues arising from their Local Plans.

**9. CONCLUSION**

- 9.1 Wyre Forest District Council is being requested to sign a working document which sets out the key issues arising from discussions between officers from South Staffordshire District Council and Wyre Forest District Council during the formulation of the South Staffordshire Local Plan Review 2018-2039.
- 9.2 Whilst most of the issues in the SSDC SoCG have no cross-boundary implications, the request by SSDC for WFDC to undertake a further site assessment for the provision of sites for Gypsy and Traveller Accommodation, does. Therefore, officers have proposed amended wording and is requesting for the SoCG, with this amended wording, to be approved.

**10. CONSULTEES**

- 10.1 Statutory officers and the Planning Manager

**11. BACKGROUND PAPERS**

- 11.1 Draft Statement of Common Ground between Wyre Forest District Council and South Staffordshire District Council November 2022