

Reigate & Banstead Borough Council and Crawley Borough Council

Statement of Common Ground on meeting the Duty to Co-operate and Retail issues relating to Reigate & Banstead Borough Council Draft Core Strategy

This statement has been produced in co-operation between Crawley Borough Council (CBC) and Reigate & Banstead Borough Council (RBBC). It responds to concerns raised by CBC to RBBC's housing and retail strategy in its draft Core Strategy; and a perceived failure to meet the duty to co-operate.

The statement clarifies the reasons for CBC's concerns, summarises evidence relevant to these areas of concern, and acts as a position statement on the areas on which the two authorities now agree.

Objection on grounds of duty to co-operate

Summary of CBC's objection

CBC were concerned that there had not been adequate discussion to resolve its concerns on elements of retail and housing strategy as set out in RBBC's core strategy.

RBBC's response

Co-operation between CBC and RBBC has taken place at a variety of different levels and scales. This includes consultation and discussion throughout the stages of Core Strategy development, as well as co-operation in other policy related areas, such as the development of Gatwick Airport, and the Gatwick Diamond initiative, which now forms part of the Coast-to-Capital Local Economic Partnership.

Agreed Position

Following further discussions between the two authorities and clarification of the ongoing process for co-operation on strategic issues, Crawley Borough Council has decided to withdraw its objection

Background Evidence

Core Strategy Consultation

RBBC has been engaged in preparing a Core Strategy since 2005. Since the demise of regional working arrangements officer level joint working on cross-border Consultations have been undertaken at all the stages of Core Strategy development, listed in figure 5.

Figure 5: Core Strategy Consultation Stages

Stage	Date	CBC response
Issues and Options	November 2005	✓

Preferred Options	May 2006	
Revised Preferred Options	July 2008	✓
Proposed Submission Document	January 2009	✓
Suggested Amendments	August 2009	✓
Proposed Changes	July 2010	
Outstanding Issues	September 2011	✓
Proposed Submission Document	March 2012	✓

Details of CBC's responses are included in appendix 1. Since the demise of regional planning arrangements, cross-boundary work on strategic priorities have taken place regularly at a more local level. This has sometimes been through joint working between CBC and RBBC, and sometimes as wider collaborative working as part of the Gatwick Diamond. Details of officer meetings between CBC and RBBC over the last two years to discuss key strategic issues are given in appendix 2.

RBBC has also carried out consultation of a variety of supporting evidence papers, including the 2008 SHMA. No objection was raised by CBC to the methodology or extent of the East Surrey SHMA at that time.

Other Joint Working Arrangements

As one of the major economic drivers in the Crawley area, and also with the largest environmental impact, the development of Gatwick Airport is a key interest to all surrounding local authorities. Co-operation between CBC, RBBC and other interested parties on airport-related matters is structured at various levels, focused around the following groups:

GATCOM	Gatwick Airport Consultative Committee	Statutory consultative body for Gatwick Airport (Civil Aviation Act 1982) –28 representatives from wide range of interests – local authorities, business, tourism, community, environmental, Gatwick Airport Ltd (GAL), Department for Transport.
NATMAG	Noise and Track Monitoring Advisory Group	Group monitoring airport-related noise and flight path tracking
GJLA	Gatwick Joint Local Authorities Group	Group of all local authorities neighbouring Gatwick Airport
GOG	Gatwick Officers Group	Officer group supporting GJLA and GATCOM, also monitoring S106 actions and implementation

Other joint working groups in the Gatwick and Horley areas include the following:

GATF	Gatwick Airport Transport Forum	Forum to discuss improvements to surface access and future transport links with and in vicinity of the airport
URMSWG	Upper River Mole Strategy Working Group	Working group of local authorities on flood prevention in upper Mole area
GGP	Gatwick Greenspace Partnership	Partnership of local authorities and interested groups promoting environmental improvements in the Gatwick area

These groups meet on a regular basis (mostly quarterly or bi-annually) to discuss and reach consensus on airport-related matters, co-operate in monitoring and assessment tasks, and lobby for change as a combined group with greater weight than as individual authorities.

The joint working arrangements shown above have proved successful in co-ordinating response and reaching consensus on Gatwick Airport's future growth. An example of such co-operation is with joint arrangements in monitoring a Section 106 Agreement between CBC, West Sussex County Council (WSCC) and Gatwick Airport Ltd, backed up by a Memorandum of Understanding between CBC, WSCC and all other local authorities neighbouring Gatwick Airport in both Surrey and Sussex.

Gatwick Diamond Initiative

The Gatwick Diamond Initiative, set up in 2003 and now a well established public/private partnership, provides a forum within which local authorities can debate the strategic issues which link their communities together. While begun some years before the 'duty to cooperate' was introduced in the Localism Act 2011, it has been held up by DCLG as an example of how cross boundary co-operation can be conducted.

Collaboration on sustainable development issues has led to agreement on The Gatwick Diamond Local Strategic Statement¹, and accompanying Memorandum of Understanding², which have been prepared as a formal framework for cooperation between local authorities on planning and development issues which cross local authority boundaries, including on issues such as economy, housing, town centres, transport infrastructure, green infrastructure and low carbon economy.

The Statement recognises that there are and will continue to be opportunities to secure new housing from within existing towns and villages. However, taking into

¹ Gatwick Diamond Local Strategic Statement, March 2012

² Gatwick Diamond Local Strategic Statement: Memorandum of Understanding, March 2012

account the need to protect the character of the living environment and to secure the type of housing that people will aspire to in coming years, there are likely to be limits to what can be achieved in this way. There are already plans for significant further growth, outside the built up area at Crawley, Horley and Horsham with smaller scale developments elsewhere. These existing commitments, combined with regeneration and other projects within the built up areas, are expected to be the main source of new housing development over the next 5 to 10 years.

The Statement does not seek to resolve in detail the longer term issues which face the Gatwick Diamond area but does provide a broad strategic context for the development of new policies to address those issues. With respect to housing in particular it indicates that, across the Diamond area, the local authorities will seek to secure sufficient housing and the necessary infrastructure to meet the needs of those who live or work in the area.

Both of the Councils, together with the other Councils in the Gatwick Diamond Initiative, recognise that the Strategic Statement, whilst valuable in itself, needs to be supported by further joint working on strategic issues. This work has been, and continues to be, supported by joint working at member, senior management and technical officer level to delivery shared priorities. Member and senior management meet on approximately a quarterly basis to review progress, while officer level meetings are held more often where information and evidence about emerging local policies/plans has been shared and discussed. A list of officer meetings over the last two years is included at appendix 2. This demonstrates the high degree of collaboration that takes place under the Diamond Initiative.

With respect to strategic housing issues information on locally generated housing needs has been shared and discussed, and officers and members have been developing a greater understanding of the cross-boundary issues. The local authorities are adopting an approach which builds on this understanding of local needs and expectations and which, unlike the current regional plan, does not impose top-down targets or pre-empt local decisions on the scale and location of new development. Against this background joint working is continuing with a view to establishing agreed principles for the longer term

For its part, RBBC has reaffirmed its commitment to this process of joint working in line with the jointly agreed Memorandum of Understanding and has undertaken to review its Core Strategy within five years. This will allow for continued co-operation (taking into account monitoring information and emerging evidence) as the strategic planning cycles among the Gatwick Diamond authorities become more aligned.

For its part and in the light of the assurances given by RBBC, CBC accepts that the duty to co-operate as set out in the Localism Act has been met, and that the

commitments given under the Gatwick Diamond Memorandum of Understanding demonstrate the commitment of RBBC to an on-going process of engagement and co-operation to deliver shared sustainability objectives.

Objections on grounds of soundness

CBC has raised concerns about the draft Core Strategy on the grounds of soundness in two respects: retail and housing policy:

- Discussions are ongoing to understand the detailed strategic issues relating to housing.
- Concerns relating to retail policy are considered in more detail below.

Retail

Summary of CBC's objection

CBC is broadly supportive of aspirations to deliver additional comparison and convenience floorspace in Reigate and Banstead over the plan period, with the majority directed to Redhill. However, CBC had expressed concerns regarding the possible allocation of the Brighton Road, Redhill site for further comparison floorspace in addition to that identified in the Core Strategy. In particular, it was felt that the plan created uncertainty, with concerns raised as to the impact this further retail floorspace could have on the deliverability of the identified Town Centre North allocation in Crawley.

RBBC Response

Having discussed the proposals further, it has now been clarified that (as set out in the consultation draft of the Redhill Town Centre Area Action Plan) RBBC is not currently pursuing 'step-change' retail development in the short term. Rather, RBBC has identified Brighton Road as a provisional site which may come forward towards the end of the plan period subject to a number of triggers having been met. RBBC has sought to clarify this approach by proposing to the Inspector that a minor modification be made to the Core Strategy:

Minor modification No.61: Amend paragraph 6.6.6 to read:

'...The majority of both comparison *retail* and ...'

'Redhill town centre - *at least* 15,480sqm and 7,020sqm respectively *within the current town centre boundary, with potential for an extension to the town centre boundary in the longer term, subject to realisation of wider regeneration objectives*

and further testing. The Redhill Town Centre Area Action Plan will plan for and allocate sites to provide the identified *additional* retail floorspace...'

CBC confirms that RBBC minor modification No.61 (document BP14 submitted to the Inspector on 21 May 2012) overcomes its concerns about retail proposals for Redhill.

Appendix 1: CBC responses to Core Strategy consultations

Issues and Options – November 2005	Economy and jobs	Approach to local economy in CS should be supported by robust evidence base, and employment floorspace requirements should be met over the plan period
	Gatwick	Agree with supporting the growth of Gatwick Airport as a single runway, two terminal airport subject to mitigation of adverse environmental impacts.
	Housing	The nature of accommodation is a local issue, but it is essential that the housing requirement over the plan period is met. Must maximise the supply of affordable housing, but not undermine the overall housing supply and the ability to meet housing requirements over the plan period.
	Town centres and retail	Need to be realistic about Redhill town centre's function and role, particularly regarding retail. Increasing residential use within the centre and enhancing its leisure role for local residents and employees is likely to be more successful than aspiring to compete for significant retail investment with larger centres.
Revised Preferred Options – July 2008	Economy and jobs	Concern about lack of reference to Gatwick

		<p>Diamond and Gatwick sub region.</p> <p>Not clear how employment development will be delivered – lack of spatial strategy.</p>
	Gatwick	Need for clarification on position in relation to growth at airport.
	Housing (inc G&T)	Highlights lack of housing trajectory and indication of sites likely to come forward. Need to explain how housing target will be delivered and identify broad strategic locations.
	Town centres and retail	Retail assessment does not assess impact of proposed level of growth on neighbouring town centres such as Crawley, and on adopted proposals in these towns. Study should be revisited in the context of Crawley now having an adopted Core Strategy.
Submission (original) – January 2009	Town centres and retail	Retail assessment does not assess impact of proposed level of growth on neighbouring town centres such as Crawley, and on adopted proposals in these towns. Study should be revisited in the context of Crawley now having an adopted Core Strategy.
	Housing	Highlights lack of housing trajectory and indication of sites likely to come forward. Need to explain how housing target will be delivered and

		identify broad strategic locations.
Suggested amendments – October 2009	Housing	Supports the provision of 3000 houses in the RBBC Gatwick sup-region, the majority coming from strategic housing allocations in Horley
	Retail	Retails assessment has not assessed impact of growth on other town centres in the area
	Economy	Lack of spatial strategy for office floorspace to guide location within London Fringe and Gatwick Diamond sub-regions
Outstanding Issues - Sept 2011	Economy and jobs	Scale and distribution of any new employment land should be discussed with the other Gatwick Diamond local authorities in order to develop, as far as is possible, a consistent approach which reflects joint aspirations for the local economy (see details of follow up meeting Dec 2011 – appendix 2)
	Housing (inc G&T)	Concern about lack of clearer spatial strategy identifying broad / strategic locations and increased risk of development pressure on less appropriate locations. Need to ensure development is directed towards most sustainable locations in sub regional context. Also concerns about lack of detail and explanation of housing figures.

Submission (2) - July 2012	Housing (inc G&T)	Concerns about evidence and approach to market areas (see details of follow up meeting June 2012 – appendix 2)
	Town centres and retail	Concerns about level of retail growth in Redhill

Appendix 2: Gatwick Diamond: Planning officer meetings on strategic priority areas

8 Feb 2011	GD Locally Generated Housing Needs Assessment Meeting	Group discussion about work being undertaken by each Council. <u>Outcome</u> : paper summarising each authority's approach
3 May 2011	GD Locally Generated Housing Needs Assessment Meeting	Discussion sharing progress on work being undertaken and considering options for coordination/complementarity. <u>Outcome</u> : agreement to share assumptions and outputs to develop better understanding of issues at a Diamond-level
6 September 2011	GD Locally Generated Housing Needs Assessment Meeting	Agreement to develop proforma to allow comparison of assumptions across authorities with a view to developing a position statement. <u>Outcome</u> : subsequent sharing of demographic and employment data on standard proforma.
20 December 2011	One to one meeting CBC and RBBC officers	To discuss CBC representation on RBBC Outstanding Issues consultation. Focused on evidence which has informed approach to housing and employment, also overall spatial strategies. <u>Outcome</u> : agreement to continue to share information through GD fora and meet on 1-2-1 basis as required.
23 January 2012	GD Strategy Project Group	Detailed discussion about locally generated housing number assumptions; also discussion of shared infrastructure priorities. <u>Outcome</u> : Options for future working on housing numbers to be presented to members.
27 February 2012	GD Strategy Project Group	Discussion around duty to cooperate, recommendations for members on joint working on housing; infrastructure priorities and CIL; employment strategic sites; gypsies and travellers <u>Outcome</u> : Preparation of discussion paper on housing for members; agreement to share information on strategic employment sites on standard proforma.
10 April	One to one meeting CBC and RBBC officers	To discuss each authorities emerging retail priorities and explore degree of complementary. <u>Outcome</u> : Agreed that minor amendments to RBBC CS would probably overcome retail concerns
17 April 2012	GD Strategy Project Group	Update on housing including North West Sussex joint position statement; discussion about scale and distribution of employment opportunities. <u>Outcome</u> : Prepare duty to cooperate position statement to members; prepare low carbon economy paper for members
11 June 2012	GD Strategy Project Group	Progress report on housing needs work in North West Sussex; further exploration of economic growth/jobs assumptions; discussion about scope for joint work on low carbon economy. <u>Outcome</u> : Prepare position statement in relation to economy; agreement that ongoing joint work in North West Sussex to be shared with RBBC.
26 June 2012	One to one meeting CBC and RBBC officers	To discuss CBC representation in relation to housing market areas. <u>Outcome</u> : Agreed to move towards statement of common ground.
18 July 2012	GD Strategy Project Group	Discussion of current housing issues and joint working; discussion of economy position statement and strategic employment/infrastructure, and duty to cooperate position

		statement. <u>Outcome</u> : Finalise duty to cooperate paper; set up dedicated meeting to discuss G&T work; continued joint working between CBC and RBBC to try and overcome concerns.
--	--	--