

Matter 2 – Issue 1

Question 3.

Has any neighbouring authority or prescribed body indicated that the duty to cooperate has not been complied with in relation to any strategic matter? If so, what was the Council's response?

The Duty to Cooperate was introduced to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters. It is not a duty to 'agree' but Councils have to demonstrate that fundamentally they have worked together to deliver on cross boundary issues. The Greater Birmingham and Black Country Housing Market Area ('HMA') shortfall has been a cross boundary issues since the Birmingham Development Plan was adopted in 2017. Since then, the Black Country has identified additional housing and employment shortfalls and as of yet, no agreement is in place for how this shortfall will be proportioned across the HMA.

In their Regulation 19 responses, most of the Local Planning Authorities (LPA's) consider the Duty to Cooperate has been met despite not having agreed how the shortfall should be distributed. We do not support this position. We draw the Inspectors' attention to the recent decision made by the Inspectors of the Bournemouth, Christchurch and Poole Local Plan. The Inspectors determined that the Duty to Cooperate had not been met, despite the adjacent HMA authorities considering that it had. No agreement is in place to proportion the significant shortfall across the HMA and without a Memorandum of Understanding in place, South Staffordshire District Council ('SSDC') has not sufficiently evidenced how their contribution is proportionate and how it will help address the shortfall. Without this, the Duty to Cooperate has not been addressed.

SSDC were previously vocal in their objection to plans being produced by other HMA Authorities (e.g. Solihull Metropolitan Borough Council ('SMBC')) where they were only proposing a minimal contribution (this was still greater than SSDC are now proposing). SSDC went as far as stating in their response to the SMBC Matter 2 (SMBC reference M02-016) that if the "post 2031 shortfalls are not deemed appropriate to enforce at local plan examinations then this will represent a significant backwards step in addressing housing shortfalls across the GBHMA". The draft SMBC Local Plan has subsequently been found to be unsound and withdrawn. However, it is clear that SSDC has previously acknowledged that the continued allowance for Local Plans within the HMA to progress with limited contributions towards the shortfall will fail to address the housing crisis in the HMA.

Question 5.

In terms of migration, commuting, travel to work and housing markets:

- a) What are the inter-relationships with neighbouring authority areas?**
- b) How have these been taken into account in preparing the Local Plan?**

Taylor Wimpey's response to both points is below.

- a) There are clear inter relationships between the District and the Black Country through travel to work patterns which have been demonstrated through SSDC and the wider HMA evidence base, for example the GBBCHMA Strategic Growth Study 2018 (document reference EB28).
- b) The Local Plan has not taken these into account as it only includes a limited contribution towards the housing shortfall and the 2024 Publication Plan (document reference CD1) has removed the Cross Green (Policy SA2 of Publication Plan 2022 document reference PC1) and Linthouse Lane (Policy SA3 of Publication Plan 2022) draft allocations which were strategically located adjacent to the Black Country conurbation and key employment sites.

Question 7.

In terms of migration, commuting and travel to work areas:

- a) What are the inter-relationships with neighbouring authority areas?**
- b) How have these been taken into account in preparing the Local Plan?**

As set out in our response to Question 5 above, South Staffordshire is inextricably linked and well connected to the Black Country and wider HMA through existing infrastructure. In light of the new Devolution revolution, there are expected to be reforms to ensure that the objectively assessed needs of the HMA are met. Staffordshire and Stoke-on-Trent was included as one of the twenty-one areas noted in a Ministerial Statement on 24 March 2025 that will be the subject of funding to assist in local government reorganisation.

Question 8.

Are the co-operation activities and outcomes sufficiently evidenced? Have all relevant signed and dated Statements of Common Ground been provided, consistent with the requirements of the National Planning Policy Framework and the associated Planning Practice Guidance? If not, why?

Statements of Common Ground ('SoCG') have been signed but as set out in our response to Question 3 above, this does not mean the Duty to Cooperate has been met. The SoCG between the HMA authorities (document reference SST/ED11) clearly shows that very limited contributions have been made to meet the 76,427 dwelling shortfall since the initial shortfall was established through the adoption of the Birmingham Development Plan. The HMA SoCG goes no way to sufficiently evidence that cross boundary issues have been seriously engaged in and that SSDC's proposed contribution to the HMA shortfall is meaningful in any way.