

South Staffordshire Examination - Duty to Cooperate Consultation

Request 2

‘The Inspectors understand from the Duty to Cooperate Topic Paper Addendum December 2024 (DC1) and from the Matter 2.1 Action note that the Council wrote to authorities within the GBBCHMA in October 2023 seeking a view on what position they would take if the South Staffordshire Strategy no longer included a review of Green Belt boundaries. They have seen copies of the responses from the authorities. However, what is less clear to them is what discussions took place on this particular matter, and what led some authorities to change their position and ultimately sign the Statement of Common Ground. Please can you explain this process with supporting evidence to demonstrate the discussions that took place.’

CCDC response

We consider the response by SSSDC to represent an accurate representation of the discussions that took place following receipt of the October 2023 letter from SSSDC. CCDC requested a meeting in our response to this letter to discuss our concerns. SSSDC set out the options they were still considering on email and arranged a meeting which was held on 8th January 2024. There is therefore evidence that discussions were held in relation to this issue [the change in strategy], between the two parties.

The minutes of the meeting were succinct in relation to the October letter. The record states *‘Cannock Chase responded with a letter dated 24th November alongside an additional note on Gypsy and Travellers. Cannock Chase emphasised that this response was written before the publication of the most recent NPPF (December 2023).’*

Essentially what was discussed is that CCDC recognised that the NPPF represented a material change in the approach to Green Belt release to meet housing need, and that CCDC’s original response was written in the context of the former version of the NPPF.

Under the heading ‘housing’ of the minutes of the 8th January meeting it states:

‘South Staffordshire – are looking to meet their own need with a potential contribution towards the GBBCHMA. Some Green Belt release is being considered through different spatial strategy options.’

CCDC has always maintained the key concern that authorities do not further contribute to the shortfall and therefore we were satisfied from this meeting (in the context of the revised NPPF Dec 2023) that SSSDC was meeting their own OAN, as well as providing a contribution to unmet need, and therefore would not be increasing the HMA shortfall.

CCDC signed the collective HMA SoCG, in recognition that in the context of multiple authorities in the Black Country as well as SSDC progressing their plans to examination under the NPPF 2023¹, that there was no basis to challenge other authorities on their position in relation meeting their development needs, as most would require release of land from the Green Belt to do so. Under the December 2023 NPPF this decision was at their discretion, and ultimately it is for each authority to demonstrate at examination that they have exhausted all reasonable options to meet their OAN.

Request 3:

Please explain or point to where in the evidence provided the Inspectors can find discussion on how 'Table 2' of the Statement of Common Ground (SoCG) on the housing shortfall position at 29.11.24 (SST/ED21) was derived

CCDC response:

We consider the response by SSDC to represent an accurate consideration of the joint work undertaken to apportion contributions to unmet need. CCDC are offering a 500-dwelling contribution through the emerging Cannock Chase District Local Plan. Our Councils position is that it is for the receiving authorities to determine the distribution of the contribution, and that the apportionment method would be agreed by CCDC provided that it was reasonable and fair and that all recipient parties were in agreement. The method based on net migration is logical; ensuring that housing contributions are most likely to address the need they are intended to serve. We appreciate the work undertaken by parties in the HMA to reach a resolution on this issue.

CCDC provided input on the proposed methodology through written correspondence on the table and explanatory text presented in the draft HMA SoCG. This was considered appropriate and provided the opportunity for all parties to make their views clear. Written correspondence also means that responses can be shared internally, and that the view of the authority can be presented in more detail and more accurately than in meetings alone. Whilst as officers we agreed with the methodology, should we have had an issue, we would not have hesitated to request a specific meeting or raise this at the joint meetings of the West Midlands Development Needs Group (WMDNG), as the SoCG was a recurring item on the agenda whilst in development. We believe that South Staffordshire would have responded positively and proactively to such a request and have no concern with the approach taken in deriving the apportionment method.

Request 4:

¹ CCDC's emerging Local Plan is being examined under the September 2023 NPPF

Please identify where in the evidence there is reference to discussions within the HMA about the consequences of the reduced contribution to the unmet need as a result of the proposed change of position by South Staffordshire Council (SSC).

CCDC Response:

The WMDNG offers the forum for HMA discussion on changes to Local Plan strategies and takes place on a monthly basis. Due to the number of authorities in the HMA, and the fact that there is often little change between meetings, not every authority provides a verbal update on their strategies, although we all have the opportunity to do so. This is followed up by a written update that is circulated. SSDC have provided updates as evidenced in their response. CCDC participates in these meetings and has been consistent in the emerging Local Plan strategy, offering a contribution of 500 dwellings which has remained unchanged in the development of the Local Plan.

It is acknowledged that the impact of emerging Local Plan strategies on the shortfall would have had more prominence as a standing item on the agenda, as opposed to often being subsumed into discussions on the SoCG, the Strategic Growth Study update and the Local Plan updates. CCDC maintains this is not a failure of SSDC, but it is reflective of the difficulty, more generally, in hosting discussions with representatives of 14 authorities online which frequently extend beyond the allocated 2 hours on existing standing items.