

Classification	Item No.
Open	

Meeting:	Cabinet
Meeting date:	23 February 2021
Title of report:	Arrangements for the preparation of 'Places for Everyone': A Proposed Joint Development Plan Document of nine GM Districts.
Report by:	Cllr. Eamonn O'Brien (Leader) – Cabinet Member for Finance and Growth
Decision Type:	Cabinet Non- Key Decision
Ward(s) to which report relates	All Wards

Executive Summary

Following the decision by Stockport Council to withdraw from the Greater Manchester Spatial Framework, on 11 December 2020 the Association of Greater Manchester Authorities (AGMA) Executive Board agreed in principle to the preparation of a Joint Development Plan Document (DPD) to cover strategic policies including housing and employment land requirements and, as appropriate, strategic site allocations and Green Belt boundary amendments and associated infrastructure across the remaining nine districts.

This report provides further details on the next steps in relation to that joint plan of the nine GM districts, to be known as 'Places for Everyone'. In particular, in order to progress this plan, a new Joint Committee of the nine districts (Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan) is proposed to be established, with delegated authority to formulate and prepare the 'Places for Everyone' Joint DPD.

Approval to establish the new Joint Committee is a decision for each district

according to their own Constitutional arrangements and approval to delegate the formulation and preparation of the Joint DPD to that committee is a Cabinet function.

The Leader's report to Council in March will advise of the necessary steps to be taken to seek approval for the Joint DPD, with the other 8 Greater Manchester Council's.

This report seeks Cabinet approval to the setting up of the new Joint Committee and for the delegation of the formulation and preparation of the DPD to that new Joint Committee.

Recommendation(s)

Cabinet is recommended to:

1. Approve the making of an agreement with the other 8 Greater Manchester councils [Bolton, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford, Wigan] to prepare a joint development plan document to cover strategic policies including housing and employment land requirements and, as appropriate, strategic site allocations and Green Belt boundary amendments and associated infrastructure across the nine districts.
2. Delegate to the Joint Committee of the nine Greater Manchester councils the formulation and preparation of the joint development plan document to cover housing and employment land requirements including, as appropriate, strategic site allocations and Green Belt boundary amendments and associated infrastructure across the nine Greater Manchester districts insofar as such matters are executive functions.
3. Agree that the Leader of the Council be the lead Member for the joint committee and that the Deputy Leader of the Council be the nominated deputy to attend and vote as necessary.
4. Note that the following are the sole responsibility of full Council:
 - Responsibility for giving of instructions to the Cabinet to reconsider the draft plan submitted by the Cabinet for the Council's consideration.
 - The amendment of the draft joint development plan document submitted by the Cabinet for the full Council's consideration.
 - The approval of the joint development plan document for the purposes of submission to the Secretary of State for independent examination.
 - The adoption of the joint development plan document.

5. Delegate to the Cabinet Member for Finance and Growth the power to make minor amendments to the Council's Statement of Community Involvement to reflect the new joint plan-making arrangements in Greater Manchester.
6. Note that the Council's Local Development Scheme will be amended by the Cabinet Member for Finance and Growth under existing delegated powers to reflect the new joint plan-making arrangements in Greater Manchester.

Key considerations

1. Background

- 1.1 There is a statutory requirement for local authorities to have an up-to-date development plan in place that identifies enough land to accommodate new homes and jobs for a growing population. Such plans can be prepared jointly with other Local Authorities.
- 1.2 Up until December 2020, a joint development plan document of the ten Greater Manchester local authorities was being prepared, known as the Greater Manchester Spatial Framework (GMSF). However, the decision at Stockport Council's meeting on 3 December to not submit the GMSF 2020 following the consultation period and the subsequent resolution at its Cabinet meeting on 4 December not to publish the GMSF 2020 for consultation in effect signalled the end of the GMSF as a joint plan of the 10 districts.
- 1.3 In light of the decision by Stockport Council to withdraw from the GMSF process, on 11 December 2020 the AGMA Executive Board agreed in principle to the preparation of a Joint Development Plan Document of the nine remaining GM districts.

2. Issues and Opportunities

Rationale and Scope of the 'Places for Everyone' Joint DPD

- 2.1 Notwithstanding the decision of Stockport Council, the rationale for the preparation of a Joint Development Plan of the nine remaining districts remains. This includes being able to:
 - Underpin Greater Manchester's plan for recovery from Covid;
 - Support delivery of the Greater Manchester Strategy;
 - Provide a framework to manage growth in a sustainable and inclusive way, avoid un-planned development and development by appeal;
 - Align the delivery of development with infrastructure proposals;
 - Meet the requirement for local authorities to have a local plan in place by December 2023; and

- Meet the Duty to Co-operate in s33A Planning and Compulsory Purchase Act 2004.

2.2 Discussions with the nine authorities indicate that there is continued opportunity to work collaboratively to produce a joint plan of the nine. Producing such a plan would enable the nine districts to continue to:

- Progress the strategic policies in GMSF 2020 which commanded widespread support, for example net zero carbon development, affordable housing and space and accessibility standards for new housing.
- Maximise the use of sustainable urban/brownfield land and limit the need for Green Belt to accommodate the development needs of the nine.
- Align with wider Greater Manchester strategies for transport and other infrastructure investment.
- Utilise the evidence base already commissioned and completed, minimising the cost of producing further evidence.
- Spread the cost jointly of the independent examination.

3. The Proposal

The arrangements for preparing 'Places for Everyone'

- 3.1 The GMSF was being prepared by the AGMA Executive Board on behalf of the ten GM districts. However, it would not be appropriate for the preparation of a joint plan of only nine of the ten GM districts to be delegated to this Board. Instead, it will be necessary to establish a new Joint Committee of the nine relevant districts – Bury, Bolton, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan.
- 3.2 Membership of the Joint Committee is a matter for the individual districts to determine. However, for continuity purposes, it is recommended that the Leader of the Council be Bury's lead Member for the joint committee and that the Deputy Leader of the Council be the nominated as deputy to attend and vote as necessary. It will be the responsibility of the Joint Committee to agree its terms of reference and the operational arrangements, including the appointing of the chair and the voting arrangements.
- 3.3 The purpose of the Joint Committee will be to formulate and prepare the 'Places for Everyone' Joint DPD.
- 3.4 Authorisation to establish the new Joint Committee will require the approval of the each district according to their Constitution and approval to delegate the preparation of the joint plan to that Committee is a Cabinet function.

- 3.5 The Leader's report to Council in March will advise of the necessary steps to be taken to seek approval for the Joint DPD, with the other 8 Greater Manchester Council's.
- 3.6 This report seeks Cabinet approval to the setting up of a new Joint Committee and approval for the delegation of the formulation and preparation of the plan to that new Joint Committee.

Interrelationship with Stockport and the Joint Plan

- 3.7 Whilst Stockport Council has withdrawn from the joint planning process of preparing the GMSF, to prepare its own local plan, the Council remains one of the 10 partners which make up GMCA and all are committed to continuing to work together to deliver a wide range of important strategies for example, the Local Industrial Strategy, the 5 Year Environment Plan and the 2040 Transport Strategy.
- 3.8 Under s33A of the Planning and Compulsory Purchase Act 2004, there is a formal Duty to Co-operate with neighbouring authorities. As part of the process of preparing the joint DPD, the nine districts will be required to enter into dialogue with Stockport on matters of strategic, cross-boundary significance. The outcome of this will need to be set out in a 'Statement of Common Ground'. For example, this could include strategic matters such as the scale and distribution of housing and employment land and transport infrastructure.

Spatial Development Strategy (SDS)

- 3.9 Through the devolution agreement the Mayor of Greater Manchester has a duty to produce a Spatial Development Strategy (SDS). This is a plan that covers the Mayoral Combined Authority administrative area and requires unanimous support of the GMCA. Whilst the GMSF was being progressed as a joint DPD of all 10 districts, Government accepted that this would satisfy the Mayor's duty to produce an SDS. Discussions are ongoing with Government regarding the current situation, and therefore until those discussions have concluded it is not proposed to commence further work on the preparation of an SDS.

Future approvals

- 3.10 In the event that the 'Places for Everyone' Joint DPD is considered to have substantially the same effect as the GMSF 2020 had on the nine districts, the next stage would be the publication of the plan under Regulation 19 of Town and Country Planning (Local Planning) (England) Regulations 2012.
- 3.11 As with the GMSF, the Cabinet/Executive of each district will be responsible for approving the Regulation 19 version of the plan ahead of a period of consultation. Again as with the GMSF, the nine full Councils will be responsible

for approving the joint plan for submission to the Secretary of State for independent examination and to formally approve its adoption.

Statement of Community Involvement

- 3.12 The Statement of Community Involvement (SCI) sets out how the Council will involve the community in preparing and revising all local planning documents and in making decisions on planning applications. The Council's current SCI was adopted by Cabinet on 14 October 2020.
- 3.13 Subject to the necessary Cabinet approvals to establish the Joint Committee and to delegate the preparation of the plan to that Committee, the SCI will need to be amended to reflect the new joint plan-making arrangements in Greater Manchester and delegated authority to the Cabinet Member for Finance and Growth is sought to make these minor changes.

Local Development Scheme

- 3.14 The Council's current Local Development Scheme sets out the scope and preparation timetable for Bury's development plan, including the Local Plan, the GMSF and other associated documents.
- 3.15 Delegated powers are already in place to make any timetable amendments as necessary or any changes to the document content. As such, subject to the necessary Cabinet approvals to establish the Joint Committee and to delegate the preparation of the plan to that Committee, the LDS will also be updated to reflect the new joint plan-making arrangements in Greater Manchester.

4. Other alternative options considered

That Members withdraw from the process of preparing a joint development plan document for the nine districts.

- 4.1 Under this option, Bury would still need to prepare a Local Plan that covered all of the strategic issues that would otherwise be covered by the joint development plan document, including the need to meet future needs for housing.
- 4.2 However the advantages of collaborative working set out above would be lost.

Community impact / contribution to the Bury 2030 Strategy:

The 'Places for Everyone' Joint DPD would contribute to all five themes of the Bury 2030 Strategy.

The SCI sets out how the Council will actively seek to engage the community in preparing and revising all local planning documents and in making decisions on planning applications.

Equality impact and considerations:

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

The 'Places for Everyone' Joint DPD will be a statutory plan which seeks to contribute to the achievement of sustainable development, delivery economic, social and environmental benefits together in a mutually reinforcing way. It will be informed by an Integrated Appraisal which includes an Equalities assessment.

Assessment of risk:

The following risks apply to the decision:

Risk / opportunity	Mitigation
One or more of the remaining nine districts withdraws from the 'Places for Everyone' Joint DPD process.	To progress Bury's Local Plan.

Consultation:

A significant amount of public consultation has taken place at various stages of the preparation of the GMSF. The 'Places for Everyone' Joint DPD will be subject to the same statutory processes for consultation.

The SCI sets out how the Council will actively seek to engage the community in preparing and revising all local planning documents and in making decisions on planning applications and will be updated to reflect the current position.

Legal implications:

The joint development plan document will form part of the statutory development plan for each of the nine districts and, alongside the emerging Bury Local Plan, will replace the Bury Unitary Development Plan. All development plans must be prepared in accordance with statutory processes.

The legislative and constitutional requirements for the preparation of a joint Development Plan Document (DPD) are set out in the Bury Constitution, the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012.

The proposed joint arrangements relate to executive/cabinet functions of the council and do not need full council approval. As these proposals do not involve additional expenditure and are administrative in nature, they are not key decisions.

Financial implications:

This report does not commit the Council to any financial decisions but seeks to establish a strategic planning policy framework for 9 districts within Greater Manchester, including Bury. Implementing any schemes aligned to the framework will be subject to decision making at that time which will include a full assessment of the financial implications including affordability that will take into account costs and additional revenue income that may be generated.

Any costs arising from the production of the joint development plan document will need to be considered in the context of the Council's financial strategy and will be subject to appropriate decision making.

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Background papers:

AGMA Executive Board Report – 11 December 2020

AGMA Executive Board Report – 12 February 2021

Glossary

Term	Meaning
Greater Manchester Spatial Framework (GMSF)	A Joint Development Plan Document which was being prepared collaboratively by the ten Greater Manchester Authorities.
Joint development plan document of the nine districts	A Joint Development Plan Document which will be prepared collaboratively by Bolton, Bury, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan Councils. It will set the overall spatial strategy for the 9 Local Authority areas and will cover strategic policies including those identifying the appropriate scale and distribution of housing and employment development.