

## Report to CABINET / COUNCIL

# Arrangements for the preparation of ‘Places for Everyone’: A proposed Joint Development Plan Document on behalf of nine Greater Manchester districts

### Portfolio Holder:

Councillor Hannah Roberts, Cabinet member for Housing

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**Ext.** 1672

**Cabinet:** 22 March 2021

**Council:** 24 March 2021

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### Reason for Decision

To approve the arrangements necessary to formulate and prepare the joint development plan document (DPD) ‘Places for Everyone’, including the establishment of a joint committee to represent Oldham Council and the eight other GM districts (Bolton, Bury, Manchester, Rochdale, Salford, Tameside, Trafford, Wigan).

### Executive Summary

On 11 December 2020, following the withdrawal of Stockport Council from the production of the Greater Manchester Plan for Jobs, Homes & the Environment (the Greater Manchester Spatial Framework), the Association of Greater Manchester Authorities (AGMA) Executive Board agreed in principle to the a joint Development Plan Document (DPD) of the nine remaining Greater Manchester (GM) districts, to cover strategic policies including housing and employment land requirements and, as appropriate, strategic site allocations and Green Belt boundary amendments and associated infrastructure.

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A report was taken to AGMA Executive Board on 12th February 2021 setting out the next steps in relation to the Joint DPD of the nine GM districts, to be known as 'Places for Everyone', including the required decisions by individual Districts to initiate this process as set out below in the recommendations and discussed further in this report.

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.

## **Recommendations**

It is recommended, subject to Council approving the recommendations below, that Cabinet:

1. Note that full Council has approved the making of an agreement with the other 8 Greater Manchester councils (Bolton, Bury, Manchester, 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 a 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. Note that the following are the sole responsibility of full Council:
  - a. Responsibility for giving of instructions to the Cabinet to reconsider the draft plan submitted by the Cabinet for the Council's consideration.
  - b. The amendment of the draft joint development plan document submitted by the Cabinet for the full Council's consideration.
  - c. The approval of the joint development plan document for the purposes of submission to the Secretary of State for independent examination.
  - d. The adoption of the joint development plan document.

It is recommended that Council:

1. Approve the making of an agreement with the other 8 Greater Manchester councils (Bolton, Bury, Manchester, 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.

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2. Agree Oldham Council's lead Member for the joint committee as Leader of the Council and nominate the Cabinet Member for Housing as deputy, to attend and vote as necessary.
  3. Note that the Cabinet will be asked to delegate the formulation and preparation of the draft joint development plan document to a joint committee of the nine GM authorities.
  4. Note that a further report will be brought to full Council seeking approval to submit the joint development plan document to the Secretary of State for independent examination.

## **Arrangements for the preparation of 'Places for Everyone': A proposed Joint Development Plan Document on behalf of nine Greater Manchester districts**

### **1 Background**

- 1.1 On 11 December 2020, following the withdrawal of Stockport Council from the production of the Greater Manchester Plan for Jobs, Homes & the Environment (the Greater Manchester Spatial Framework), the AGMA Executive Board agreed to consider producing a joint Development Plan Document (DPD) of the nine remaining Greater Manchester (GM) districts, and asked officers to report back on the implications of this.
- 1.2 Subsequently a report was taken to AGMA Executive Board on 12th February 2021 (see appendix 1 for the full details) setting out the next steps in relation to preparing a joint DPD of the nine GM districts. The report included the decisions required by individual Districts to initiate this process, which are set out in the recommendations and discussed further below.

### **2 Current Position**

- 2.1 Despite the withdrawal of Stockport Council, the rationale for the preparation of a joint DPD of the nine remaining districts remains and 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;
  - provide the speediest resolution to produce an up-to-date plan and 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 GM districts indicate that there is continued opportunity to work collaboratively to produce a joint DPD of the nine, to be known as 'Places for Everyone'.
- 2.3 It is felt that producing the joint DPD 'Places for Everyone' enables the nine GM 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;

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- 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; and
  - spread the cost jointly of the independent examination.

*Process for establishing the Joint Committee and preparing the Joint DPD Places for Everyone*

2.4 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. As such, to establish a new joint committee of the nine relevant GM districts – Bury, Bolton, Manchester, Oldham, Rochdale, Salford, Tameside, Trafford and Wigan, each district is being requested to authorise the establishment of the new joint committee and delegate the preparation of the joint DPD to the new joint committee as outlined in the recommendations.

2.5 In addition to establishing the joint committee:

- Districts are being asked to agree the district lead Member for the joint committee and a nominated deputy to attend and vote as necessary. This is a matter for the individual districts to determine, however it is suggested, for continuity purposes, that district Leaders form the membership of the joint committee, with the ability for a nominated deputy to attend as necessary. The recommendations to this report therefore propose that Oldham Council's lead Member for the joint committee is the Leader of the Council and that the Cabinet Member for Housing acts as the 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.

2.6 The purpose of the Joint Committee will be to formulate and prepare the Joint DPD. Should the draft joint DPD be considered to have substantially the same effect on the nine districts as the GMSF 2020, the next stage would be publication (Regulation 19 stage).

2.7 As with the GMSF:

- each Council's Cabinet/Executive will be responsible for approving the Regulation 19 version of the joint DPD ahead of a period for representations to be made; and
- the nine full Councils will be responsible for approving the joint DPD for submission to the Secretary of State for independent examination.

2.8 The function of scrutiny in the production of the joint DPD will remain with the individual districts as the relevant decisions will rest with the districts, not AGMA or the GMCA.

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## *Amendments to Oldham's Local Development Scheme and Statement of Community Involvement*

- 2.9 Oldham's Local Development Scheme (most recently updated September 2020) will need to be revised to reflect preparation of the Joint DPD and its revised timetable. The Statement of Community Involvement (SCI) will also need to be amended to reference the Joint DPD appropriately. Consultation that takes place in relation to the Joint DPD of the nine will need to be in accordance with each district's SCI, as was the case with the GMSF.
- 2.10 Districts have been asked to consider what changes are needed to the LDS and SCI as a result of the actions proposed at the front of this report and ensure that the necessary steps are taken. Further reports on the necessary changes to the LDS and SCI will be taken through for approval as appropriate.

### ***The Oldham Local Plan***

- 2.11 The Joint DPD 'Places for Everyone' remains essential to create the foundations for the scale of growth and ambition for Greater Manchester. Upon adoption it will be part of the Development Plan for each Greater Manchester local authority, including Oldham. As stated above progressing the Joint DPD provides the speediest resolution to provide an up-to-date Local Plan within MHCLG's deadline of December 2023. Whilst offering the strongest protection against inappropriate development whilst the Local Plan is being developed.
- 2.12 The Joint DPD, however, is a high level, strategic plan and does not cover everything that a district local plan would. District Local Plans therefore continue to play a vital role to take forward the strategic policies set out in the joint DPD and interpret these at a more detailed local level to support the creation of locally distinctive high-quality places and neighbourhoods.
- 2.12 The Council intend to press ahead with consultation on issues and options for the Local Plan and it is anticipated that consultation will be during summer 2021. Revisions to the LDS will need to reflect these changes to the timetable. The Local Plan will deal with matters at the local level setting out the spatial vision, strategic objectives and strategy for Oldham and cover planning policies and site allocations, where they provide additional policy direction for Oldham, beyond that contained in the Joint DPD 'Places for Everyone'.

## **3 Options/Alternatives**

- 3.1 Option 1: To approve the arrangements necessary to formulate and prepare the joint development plan document (DPD) "Places for Everyone" as set out in the recommendations to this report, including the establishment of a joint committee to represent Oldham Council and the eight other GM districts (Bolton, Bury, Manchester, Rochdale, Salford, Tameside, Trafford, Wigan).
- 3.2 Option 2: To not approve the arrangements necessary to formulate and prepare the joint development plan document (DPD) "Places for Everyone" as set out in the recommendations to this report, including the establishment of a joint committee to

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represent Oldham Council and the eight other GM districts (Bolton, Bury, Manchester, Rochdale, Salford, Tameside, Trafford, Wigan).

#### **4 Preferred Option**

- 4.1 To approve the arrangements necessary to formulate and prepare the joint development plan document (DPD) “Places for Everyone” as set out in the recommendations to this report, including the establishment of a joint committee to represent Oldham Council and the eight other GM districts (Bolton, Bury, Manchester, Rochdale, Salford, Tameside, Trafford, Wigan).

#### **5 Consultation**

- 5.1 Consultation will be carried out on the joint development plan document ‘Places for Everyone’ as appropriate.

#### **6 Financial Implications**

- 6.1 Whilst a substantial evidence base has been assembled to support the Development Plan Document, as part of the work on the GMSF, it is expected that further work will be required which will require the commissioning of specialist and independent consultants. There will be a cost to the revenue budget as a result.
- 6.2 The exact amount of additional revenue costs cannot be accurately determined at this time and will be dependent on the amount of work that needs to be commissioned. However, any additional costs will need to be met from any amounts remaining in specific reserves to support the Local Plan and wider spatial planning, within the existing Planning Service revenue budget or within the wider existing Economy Directorate revenue budget.

(James Postle)

#### **7 Legal Services Comments**

- 7.1 Under section 28 of the Planning and Compulsory Purchase Act 2004, 2 or more local authorities may agree to prepare one or more joint local development documents. Pursuant to Regulation 4(4A) and (4C) of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, the making of an agreement to prepare one or more joint development plan documents shall not be the responsibility of an executive of the authority. The decision to agree to prepare a joint development plan document must therefore be made by full Council.
- 7.2 Section 101(5) of the Local Government Act 1972 enables two or more local authorities to discharge any of their functions by a joint committee. Section 9EA of the Local Government Act 2000 enables the Secretary of State to make regulations for enabling an executive of a local authority to arrange for the discharge of any functions which under executive arrangements are the responsibility of the executive by another local authority or by the executive of another local authority or a committee or specified member of such an executive.

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The Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 (SI 2012 no. 1019) were made pursuant to Section 9EA. The Regulations provide at Regulation 4 that in an authority with a Leader and Cabinet (as in Oldham), the persons with the power to make arrangements under section 101(5) of the Local Government Act 1972 are the Cabinet, a member of the Cabinet or a committee of the Cabinet, as respects those functions which are allocated by executive arrangements to the Cabinet, that member or that committee. (A Evans)

## **8. Co-operative Agenda**

8.1 Formulation and preparation of the joint development plan document (DPD) 'Places for Everyone', including the establishment of a joint committee to represent Oldham Council and the eight other GM districts (Bolton, Bury, Manchester, Rochdale, Salford, Tameside, Trafford, Wigan) links to Oldham's co-operative agenda. Working with our neighbouring districts, other GM authorities and the GMCA in a collaborative way that will help to support our Corporate Plan and priorities such as delivering 'An Inclusive Economy' and Creating a Better Place.

## **9 Human Resources Comments**

9.1 Not applicable.

## **10 Risk Assessments**

10.1 None received

## **11 IT Implications**

11.1 Not applicable.

## **12 Property Implications**

12.1 The preparation of the joint development plan document is welcomed, as it will provide a framework to manage growth and promote property development in a sustainable and inclusive way, helping to avoid largescale un-planned development and development by appeal. (Bryn Cooke)

## **13 Procurement Implications**

13.1 Not applicable.

## **14 Environmental and Health & Safety Implications**

14.1 An Integrated Appraisal has been prepared to support the GMSF.

## **15 Equality, community cohesion and crime implications**

15.1 A Joint Development Plan Document is a statutory plan which seeks to contribute to the achievement of sustainable development, delivering economic, social and



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environmental benefits together in a mutually reinforcing way. It will be informed by an Integrated Appraisal which includes an Equalities assessment.

**16 Implications for Children and Young People**

16.1 An Equality Impact Assessment has been carried out as part of the Integrated Appraisal.

**17 Equality Impact Assessment Completed?**

17.1 A Joint Development Plan Document is a statutory plan which seeks to contribute to the achievement of sustainable development, delivering economic, social and environmental benefits together in a mutually reinforcing way. It will be informed by an Integrated Appraisal which includes an Equalities assessment.

**18 Key Decision**

18.1 Yes

**19 Key Decision Reference**

19.1 NC-02-21.

**20 Background Papers**

20.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

See Appendix 1 below.

**21 Appendices**

21.1 Appendix 1 - Places for Everyone: A Proposed Joint Development Plan Document of Nine GM Districts; AGMA Executive Board; 12<sup>th</sup> February 2021