Local Plan - Part 2
Land and Planning Policies

Duty to Cooperate
Compliance Statement

July 2018
Introduction

1. This report sets out how Rushcliffe Borough Council has complied with the Duty to Cooperate, as set out in Section 110 of the Localism Act 2011. It imposes a legal duty on local planning authorities, county councils and public bodies to engage constructively, actively and on an ongoing basis. Although, the duty to cooperate is not a duty to agree, local planning authorities should work together to ensure that strategic cross boundary matters have been addressed prior to the submission of a plan for examination.

2. The duty to cooperate bodies for Rushcliffe Borough Council include the following:
   - Adjoining Local Planning Authorities and those contained within the same Housing Market Area;
   - Environment Agency;
   - Historic England;
   - Natural England;
   - Homes England;
   - NHS England;
   - Office of the Rail Regulator;
   - Highways England;
   - Highway Authorities;
   - Local Enterprise Partnerships; and
   - Local Nature Partnerships.

Geographic context

3. Rushcliffe Borough has a population of over 111,000, with the largest number of residents living within West Bridgford. West Bridgford forms the southern part of the main urban area of Nottingham, south of the River Trent. The remainder of the Borough is general rural in character and contains a number of settlements including: Bingham, Cotgrave, Keyworth, Radcliffe on Trent and Ruddington (Key Settlements in the Local Plan), and numerous smaller villages (four of which are identified as locations for limited growth).

4. Rushcliffe Borough adjoins Broxtowe, Nottingham City and Gedling to the north (within Nottinghamshire), Erewash to the west (within Derbyshire) and North West Leicestershire, Charnwood and Melton Councils to the south (within Leicestershire).

5. The main urban area of Nottingham includes the following councils: Broxtowe Borough, Erewash Borough, Gedling Borough, Nottingham City, and Rushcliffe Borough.
Borough. These councils make up the Nottingham Core Housing Market Area (HMA). Beyond this HMA, Ashfield District, Mansfield District and Newark and Sherwood District comprise the Outer Nottingham HMA.

History of Joint Working

6. Rushcliffe Borough has a long history of working with neighbouring authorities and statutory consultees including work on structure plans, the Regional Plan and Local Plan Core Strategies. During the examination of its own Local Plan Part 1: Core Strategy (adopted December 2014) Rushcliffe and its neighbouring authorities within the Greater Nottingham Market Area agreed housing and employment land targets to meet the objectively assessed needs of the wider market area, not just Rushcliffe’s. Cooperation on these key cross boundary strategic issues during the formulation of the Core Strategy, and Local Plan Parts 2 broad compliance with the Core Strategy, is reflected in the absence of any significant cross boundary issues.

7. Key achievements and joint evidence prepared includes the following in chronological order:

- Nottingham Core Housing Market Area Assessment (2006/07 updated 2009 and 2012);
- Greater Nottingham Strategic Flood Risk Assessment (2008 updated 2010 and 2017);
- Nottingham Core Joint Strategic Housing Land Availability Assessment methodology (2008);
- Greater Nottingham Landscape Character Assessment (2009);
- Greater Nottingham Sustainable Locations for Growth Study (2010)
- Habitats Regulation Appraisal Screening Record (September 2010);
- Habitats Regulation Appraisal and Further Assessment (2010);
- Greater Nottingham and Ashfield Outline Water Cycle Study (2010)
- Greater Nottingham Core Strategy Transport Modelling (2012);
- Greater Nottingham Retail Study (2008, update 2013);
- Nottingham and Nottinghamshire Traveller Accommodation needs Assessment Methodology (2013);
- Greater Nottingham Infrastructure Delivery Plan (2013);
- Aligned Core Strategies for Broxtowe, Erewash, Gedling, Nottingham City and Rushcliffe Councils (adopted 2014);
- Nottingham Core and Nottingham Outer Employment Land Forecasting Study (2015)
- Greater Nottingham Retail Study (2008, update 2013);
- South Nottinghamshire Gypsy and Traveller Accommodation Assessment 2014 – 2029 (2016);
8. Partnership Groups include:

- Greater Nottingham Joint Planning Advisory Board (JPAB);
- Greater Nottingham Executive Steering Group;
- D2N2 Partnership Board;
- Greater Nottingham Housing Market Areas (HMA) Group;
- Nottinghamshire Policy Officers Group (NPOG);
- Nottinghamshire Development Management Liaison Group; and
- Nottinghamshire Development Monitoring Group.

9. The JPAB was established in April 2008 to advise the Greater Nottingham’s constituent councils on the alignment of planning work across the region and the Greater Nottingham Growth Point Programme of Development. JPAB is chaired by Broxtowe Borough and meets every two/three months and is attended by Councillors and senior officers from Ashfield District Council, Broxtowe Borough Council, Derbyshire County Council, Erewash Borough Council, Gedling Borough Council, Nottingham City Council, Nottinghamshire County Council and Rushcliffe Borough Council.

Greater Nottingham Executive Steering Group

10. Attended by senior officers for each Council in the JPAB partnership with meetings every two/three months to discuss strategic planning issues and directing the delivery of strategic development projects.

D2N2 Partnership Board

11. Nottinghamshire Local Authorities are represented at the D2N2 Partnership Board by Newark and Sherwood District Councillor, Mr. Roger Blaney.

Nottingham Core Housing Market Area (HMA) Officers Group

12. The Nottingham Core HMA officers group meets once a month to discuss the management and progress with the Aligned Core Strategies, Part 2 Local Plans.
and the Ashfield District Local Plan. This group discusses strategic planning matters and is a most useful forum for addressing cross-boundary planning issues.

**Nottinghamshire Policy Officers Group**

13. The Nottinghamshire Policy Officers Group, comprising planning policy officers from all Nottinghamshire councils, meets every quarter. This group updates members on progress with Local Plans and has a useful role in coordinating joint working where a consistent approach is needed.

**Nottinghamshire Development Management Liaison Group Meetings**

14. Development Management officers meet quarterly to discuss development management issues.

**Greater Nottingham Monitoring Group**

15. Policy and/or technical officers meet quarterly to discuss monitoring arrangements in order for each council to ensure data is collected and reported consistently across the HMA.
Engagement with Duty to Cooperate Bodies

Nottinghamshire County Council

Nature of cooperation:
- Joint Planning Advisory Board Member
- Executive Steering Group Member
- Attends regular HMA meetings
- Attends Nottinghamshire Policy Officers Group
- Assists in policy development and background work for LP2 through ad hoc meetings and as a consultee

16. During the formulation of policies and identification of allocations, Rushcliffe Borough Council officers ensured there was continuous dialogue with officers from Nottinghamshire County Council (within the education, highways, conservation and environmental departments). These representatives were invited to provide relevant data and comment on draft policies prior to the publication of the Rushcliffe Local Plan Part 2 and the comments received have been taken into account.

Education

17. Throughout the plan making process, the County Council as Education Authority has provided Rushcliffe Borough Council with information on future school capacity within growth settlements the need for additional school places arising from proposed allocations. This continuous dialogue has also informed the Infrastructure Delivery Plan and development of the Community Infrastructure Levy.

Highways Authority

18. The Borough Council has worked closely with County Highways to ensure that sites proposed for allocation are acceptable to the Highways authority in terms of access. Advised by the highways authority, Rushcliffe Borough Council has undertaken a highways assessment of every site option and this advice is set out in the Housing Site Selection Report (April 2018).

Lead Local Flood Risk Authority

19. No advice on flood risk issues has been received from the County Council.
Minerals and Waste Planning Authority

20. The County Council has provided advice regarding those allocations which are within minerals safeguarding areas. However as the allocations are directly adjacent to existing residential areas, the Council has been advised that the extraction of minerals is not expected.

21. Concerns regarding the proximity of residential development within the former Bunny Brickworks (BUN01) to the existing neighbouring waste recycling business have been addressed. Employment development will be located on the west side of the allocation, between the waste recycling operation and the new homes.

Derbyshire County Council

Nature of cooperation / consultation:
- Joint Planning Advisory Board Member
- Executive Steering Group Member

22. The two HMAs meet on a regular basis through the JPAB and Executive Steering Group.

HMA Councils and Other Neighbouring Local Planning Authorities

Broxtowe

Nature of cooperation / consultation:
- Joint Planning Advisory Board Member
- Executive Steering Group Member
- Attends Nottinghamshire Policy Officers Group
- Attends HMA meetings for cross HMA issues
- Face to face meetings
- Emails
- Consultee


Gedling

Nature of cooperation / consultation:
- Joint Planning Advisory Board Member
- Executive Steering Group Member

Newark and Sherwood District Council

Nature of cooperation / consultation:
- Joint Planning Advisory Board Member
- Executive Steering Group Member
- Attends Nottinghamshire Policy Officers Group
- Attends HMA meetings for cross HMA issues
- Face to face meetings
- Emails
- Consultee


Nottingham City Council

Nature of cooperation / consultation:
- Joint Planning Advisory Board Member
- Executive Steering Group Member
- Attends regular HMA meetings
- Attends Nottinghamshire Policy Officers Group
- Face to face meetings
- Emails
- Consultee


Erewash Borough Council

Nature of cooperation / consultation:
• Joint Planning Advisory Board Member
• Executive Steering Group Member
• Face to face meetings
• Emails
• Consultee


Charnwood Borough Council

Nature of cooperation / consultation:
• Consultee

28. Charnwood is within the Leicestershire and Leicestershire Housing Market Area. No cross boundary issues have been identified and no representations have been received from this neighbouring authority during consultation on the emerging Local Plan Part 2.

Melton Borough Council

Nature of cooperation / consultation:
• Consultee

29. Melton is within the Leicestershire and Leicestershire Housing Market Area. No strategic cross boundary issues have been identified and previous representations on the emerging Local Plan confirm this position.

North West Leicestershire District Council

Nature of cooperation / consultation:
• Consultee

30. North West Leicestershire is within the Leicestershire and Leicestershire Housing Market Area. No cross boundary issues have been identified and no representations have been received from this neighbouring authority during consultation on the emerging Local Plan Part 2.

Environment Agency

Nature of cooperation / consultation:
• Joint Planning Advisory Board – observer status
• Letters
31. Environment Agency has provided detailed comments on flood risk issues at each stage of plan preparation. A significant area of West Bridgford is within flood zone 2 or 3 and advice from the Environment Agency has guided policies which manage development in these areas. This advice and advice on other environmental policies was provided prior to consultation on the publication draft plan.

**Historic England**

*Nature of cooperation / consultation:*
- Joint Planning Advisory Board – observer status
- Letters
- Emails
- Consultee

32. Representative from Historic England provided advice on built heritage issues at each stage of plan preparation. Specific advice highlighted the need for a Heritage Assets Assessment of each possible allocation in order to inform selection within the publication draft. This has been undertaken with assistance from the Borough Council’s Conservation Officer and County Council’s Archaeologists.

**Natural England**

*Nature of cooperation / consultation:*
- Joint Planning Advisory Board – observer status
- Letters
- Emails
- Consultee

33. Natural England has provided advice on the emerging policies at each stage of the plan making process. Advice on draft natural environment policies was also sought and provided prior to publication of the plan. Natural England has also provided advice on the Habitats Regulations Assessment and concurred that the plan did not require an appropriate assessment.

**Homes England**

*Nature of cooperation / consultation:*
- Joint Planning Advisory Board – observer status
• Meetings
• Consultee

34. Rushcliffe Borough Council in collaboration with other Nottingham Core HMA Councils has an ongoing relationship with Homes England in taking forward key strategic sites with a focus on delivery of new housing. This has resulted in funding of £9 million to deliver road infrastructure within the Clifton Pastures Strategic Urban Extension.

**NHS England/NHS Rushcliffe Clinical Commissioning Group**

*Nature of cooperation / consultation:*
- Emails
- Face to Face Meetings
- Consultee

35. Advice has been sought from NHS Rushcliffe Clinical Commissioning Group regarding medical centre capacities across the Borough, especially within settlements where allocations are proposed. The advice received has informed the levels of development proposed within each settlement, the Infrastructure Delivery Plan and Community Infrastructure Levy.

**Office of the Rail Regulation (Network Rail)**

*Nature of cooperation / consultation:*
- Emails
- Consultee

36. Network Rail has been consulted on the publication draft Local Plan Part 2 and had raised concerns regarding the facilities at Radcliffe on Trent's Railway Station and their ability to accommodate additional patronage resulting from the allocations. Concerns regarding a possible foot/cycle bridge over the railway line (within policy 5.3) were also raised.

**Highways England**

*Nature of cooperation / consultation:*
- Joint Planning Advisory Board – observer status
- Emails
- Face to Face Meetings
- Consultee

37. Highways England has been consulted on the publication draft Local Plan Part 2
but has not raised any significant issues. Concerns were raised regarding the potential need for a new junction of the A52 to access an allocation at Radcliffe on Trent. This site has been enlarged and can now be accessed via the existing business park junction. Highways England also confirmed that Phase 1 of the A52 junction improvements would provide short term mitigation for the non-strategic sites within Radcliffe. They would however be subject to the A52/A606 Improvement Package Developer Contribution Strategy when applications are submitted, until such time as the improvements are completed.

Local Enterprise Partnerships

Nature of cooperation / consultation:
- Joint Planning Advisory Board – observer status
- Consultee

38. Rushcliffe Borough Council has engaged with the D2N2 Local Enterprise Partnership (LEP) through local authority representation on the LEP’s officer group and LEP Board.

39. No consultation response was received from the LEP to the preferred option or publication draft Local Plan Part 2.

Local Nature Partnership (LNP) – Lowland Derbyshire and Nottinghamshire

Nature of cooperation / consultation:
- Consultee
- Face to Face Meeting
- Email

40. The Local Nature Partnership (LNP) has been consulted on Local Plan Part 2 but has not made representations. The LNP has attended meetings of the Nottinghamshire Policy Officer Group to discuss how best to engage with the various plan making activities of the councils. Officer attended a Trent Valley Vision meeting in 2017. Advice has been sought regarding evidence which supports the establishment of Green Infrastructure Networks and this has been provided.

Member Involvement

41. Rushcliffe Borough Council is represented on the Nottingham Joint Planning Advisory Board (JPAB) by the Cabinet Member and Portfolio Holder for Housing Planning and Waste Management and this forum provides the opportunity for...
members to discuss strategic planning matters with other Greater Nottingham councils. The Board has regular updates on the progress of Local Plans and strategic development projects.