

F3A Council's response to Q7 – Statements of Common Ground

INSPECTORS' QUESTION 7

The DtC Statement indicates that the Council aims to produce statements of common ground or memoranda of understanding to provide clarification on discussions relating to strategic matters and the duty to cooperate. Can the Council direct us to these within the evidence and clarify whether they have been duly prepared in accordance with national planning policy and guidance on cooperation matters? If they have not been prepared and submitted can the Council explain the reasons for this and confirm when these will be available?

- 1.1 The tables below summarise the discussions which relate to strategic matters and the duty to cooperate which have taken place with the following groups of organisations and demonstrate that engagement has taken place with the relevant organisations in a constructive, active and ongoing basis:
- Prescribed bodies
 - Local Planning Authorities
 - Large site developers
 - Others
- 1.2 Where relevant Statements of Common Ground (SCG) have been prepared and can be found in the supporting folder for this question. These have and continue to be prepared in accordance with paragraph 27 of the Framework and follow planning practice guidance, setting out the cross-boundary strategic matters which have been discussed with the relevant organisations and the progress made on such matters. The Statements of Common Ground set out:

- Parties involved in each SCG
- Signatories to the SCG
- Spatial geography of the areas covered by the SCG, including maps where relevant
- Strategic matters which have been discussed with the parties
- Any outstanding matters of disagreement between the parties
- Governance arrangement and review of the SCG
- Further joint working proposed between the parties
- Any other relevant issue between the parties.

Table 1 - Prescribed bodies

Organisation	Progress	Where the SCG can be found / expected
A. Environment Agency	A SCG with Environment Agency was signed on 9 April 2020. This established that the Pre-Submission Local Plan is sound, legally compliant and there are no areas of uncommon ground. There was an agreement to amend supporting text of Policy NE06 Flood Risk to include that the EA would object to any development in the Functional floodplain (Flood Zone 3b)	See document F3a1 for copy of signed SCG with Environment Agency.
B. Natural England	A SCG with Natural England was signed on 12 May 2020. This established that the Pre-Submission Local Plan is sound, legally compliant and no amendments are required.	See document F3a2 for copy of signed SCG with Natural England.

Organisation	Progress	Where the SCG can be found / expected
C. Historic England	Discussions are on-going to address Historic England's outstanding concerns.	A draft SCG is being prepared and will be completed prior to the examination hearing sessions.
D. Highways England	Discussions and work are on-going with Highways England to resolve outstanding concerns.	A draft SCG is being prepared and will be completed prior to the examination hearing sessions.
E. Sport England	Discussions are on-going with Sport England to resolve outstanding concerns.	The Council has had two meeting to date to discuss the development of a Statement of Common Ground (see documents F3b118 and F3b119). The Council and Sport England have agreed a way forward to resolve outstanding concerns. It is expected that majority of the concerns will be resolved within the new two months, however a feasibility assessment is needed to resolve the objection to Dunton Hills Garden Village (golf mitigation) and master planning work undertaking with the developers of R03 Land North of Shenfield, before Sport England feel comfortable signing a Statement of Common Ground. Therefore, it is likely this will not be signed until closer to the examination hearing sessions.
F. Golf England	Discussions are on-going with Golf England to resolve outstanding concerns.	Golf England have provided the Council with a Letter of Support (see document F3b116). The Council has since had a further meeting with Golf England and the Council is in the process of drafting the Statement of Common Ground. It is expected this should be completed within a month. (See documents F3b115 and F3b117).

Organisation	Progress	Where the SCG can be found / expected
G. Transport for London	Received confirmation that the Duty to Cooperate between Brentwood Borough Council and Transport for London has been fulfilled without the need for a SCG.	See document F3a3 for copy of correspondence confirming Duty to Cooperate has been fulfilled.
H. Mid and South Essex Sustainability and Transformation Partnership (STP)	A SCG was discussed but no response has been received. Mid and South Essex STP mentioned in the latest STP meeting that all services are currently extremely under resourced due to Covid-19. Mid and South Essex STP raised no objection in the Reg 19 consultation.	As no objection were raised during the Pre-Submission Local Plan (Regulation 19) consultation, it is unlikely a SCG will be progressed. All the comments received through the consultation process have been addressed by the Council and there are no outstanding matters to resolve.
I. Anglian Water	A SCG with Anglian Water was signed on 30 April 2020. This established an agreement to amend criterion B.f. of Policy BE18 (Green and Blue Infrastructure) to clarify text on the provision of wastewater treatment capacity. In addition it was agreed to amend criterion D.e. of Policy SP01 (Sustainable Development) with additional wording to address potential issues arising with new development proposals near existing established uses such as wastewater treatment facilities. There are no outstanding matters or areas of disagreement between both parties.	See document F3a4 for copy of signed SCG with Anglian Water.
J. Thames Water	A draft SCG was sent to Thames Water however no response has been received. It is expected that Covid-19 will	SCG will be completed prior to the examination hearing sessions. See document F3a12 for copy of correspondence

Organisation	Progress	Where the SCG can be found / expected
	result in delays in correspondence with many organisations including Thames Water.	See document F3a13 for copy of draft SCG with Thames Water
K. Essex County Council (ECC)	Discussions and work are ongoing with ECC to resolve ECC's outstanding concerns.	A draft SCG is being prepared and will be completed prior to the examination hearing sessions.
L. Greater London Authority (GLA)	Received confirmation on 23 July 2020 that the Duty to Cooperate between Brentwood Borough Council and the Greater London Authority has been fulfilled without the need for a SCG.	See document F3a5 for copy of correspondence confirming Duty to Cooperate has been fulfilled.

Table 2 – Local Planning Authorities

Local Planning Authority	Progress	Where the SCG can be found / expected
A. London Borough of Havering	A draft SCG was circulated to Havering on 29 April 2020.	<p>Correspondence from Havering mentioned that Havering is expecting to be out for public consultation on its Proposed Main Modifications in mid-August 2020, which has been the focus of their work. This, in combination with the effect of Covid-19 and personnel changes of their team, means that so it will take some time for London Borough of Havering to review and feedback. However, officers of both Councils aim to continue working on the SCG together in the next few weeks following Havering’s consultation work.</p> <p>See document F3a8 for copy of correspondence with London Borough of Havering.</p> <p>See document F3a11 for copy of correspondence with London Borough of Havering.</p>
B. Basildon Borough Council	Discussions and joint work are on-going.	A draft SCG is being prepared and will be completed prior to the examination hearing sessions.

<p>C. Thurrock Council</p>	<p>Discussions and joint work are on-going.</p>	<p>The Council has engaged with Thurrock Council throughout the Brentwood plan-making process. Efforts have been made to resolve Thurrock's outstanding objections, as outlined in response to questions 8 and 9. A draft SCG has been prepared that sets out the current position of both Authorities and will be used to try and resolve matters prior to examination hearings.</p>
<p>D. Epping Forest District Council</p>	<p>A draft SCG was sent to Epping Forest District Council in early April 2020.</p>	<p>Correspondence from Epping's officer highlighted that the team is under resourced so it will take a while for Epping Forest District Council to review and feedback.</p> <p>See document F3a9 for copy of correspondence with Epping Forest District Council.</p> <p>See document F3a10 for copy of draft SCG with Epping Forest District Council.</p>
<p>E. Chelmsford City Council</p>	<p>A SCG was signed on 21 April 2020. This established support from Chelmsford City Council on the approach set out in the Brentwood Pre-Submission Local Plan in regards to housing requirement, jobs and employment and infrastructure delivery. It also set out that both authorities agree to work closely in order to identify and address issues in relation to capacity of the A12 and wider strategic network in collaboration with Highways England and Highway Authority. There were no remaining areas of uncommon ground or unresolved strategic matters.</p>	<p>See document F3a6 for copy of signed SCG with Chelmsford City Council.</p>

Table 3 - Large site developers

Site	Progress	Where the SoCG can be found / expected
R01 Dunton Hills Garden Village	Discussions and joint work are ongoing with the aim to establish a joint position through a SCG and to address issues raised by statutory consultees including Sport England and Essex County Council.	A draft SCG is being prepared and will be completed prior to the examination hearing sessions.
R02 Land at West Horndon Industrial Estate	Discussions are ongoing with the aim to establish a joint position through a SCG.	A draft SCG is being prepared and will be completed prior to the examination hearing sessions.
R03 Land north of Shenfield	Discussions are ongoing with developers and stakeholders the aim to establish a joint position through a SCG and to address issues raised by statutory consultees including Sport England and Essex County Council.	A draft SCG is being prepared and will be completed prior to the examination hearing sessions.
R04 & R05 Ford Headquarters and Council Depot	Discussions are ongoing with the aim to establish a joint position through a SCG.	A draft SCG is being prepared and will be completed prior to the examination hearing sessions.
E11 Brentwood Enterprise Park	Discussions are ongoing with the aim to establish a joint position through a SCG and to address issues raised by statutory consultees including Highways England, ECC and Lower Thames Crossing.	A draft SCG is being prepared and will be completed prior to the examination hearing sessions.

Table 4 - Others

Organisation/ Group	Progress
<p>A. Association of South Essex Local Authorities (ASELA)</p> <p>Basildon Borough Council</p> <p>Brentwood Borough Council</p> <p>Castle Point Borough Council</p> <p>Rochford District Council</p> <p>Southend-on-Sea Borough Council</p> <p>Thurrock Council</p> <p>Essex County Council</p>	<p>A SCG (see document F3a7) was signed on 1 January 2018 between the South Essex LPAs together with Essex County Council to prepare a new Joint Strategic Plan (JSP) for the area. The SCG not only supports the Duty to Cooperate as required by national policy, it also sets out the project management arrangements for the JSP.</p>
<p>B. A127 Corridor Liaison</p> <p>Essex County Council</p> <p>London Borough of Havering</p> <p>Brentwood Borough Council</p> <p>Basildon Borough Council</p> <p>Thurrock Council</p>	<p>A SCG was signed in September 2017 between the London Borough of Havering, Essex County Council, Brentwood Borough Council, Basildon Borough Council, Thurrock Council, Castle Point Borough Council, Rochford District Council, Southend on Sea Borough Council and Highways England regarding Strategic Transport Issues. It focusses on the impact cross-boundary growth will have on strategic routes including the A127 and details how the participating authorities will work collaboratively to address the identified issues.</p> <p>See document F3a14 for copy of SCG.</p>

Organisation/ Group	Progress
Castle Point Borough Council Rochford District Council Southend on Sea Borough Council Highways England	
C. West Horndon Station Improvements Brentwood Borough Council C2C CEG Network Rail Hermes Fund Managers Croll Group	<p>Discussions are ongoing between parties regarding the role of West Horndon station as a result of growth proposed in the wider area. This has been facilitated by the Council's work to produce the South Brentwood Growth Corridor sustainable transport integration vision, proposing the station become a key transport hub/interchange. Discussion has also included Network Rail, Essex County Council, and relevant land promoters. A Memorandum of Understanding has been drafted and is in the process of agreement between those involved regarding roles and potential funding sources.</p>
D. West Horndon Parish Council Brentwood Borough Council West Horndon Parish Council	<p>West Horndon Parish Council has been actively involved in the various Dunton Hills Garden Village workshops and detailed design discussions to address issues previously raised by West Horndon Parish Council. The Council is in the process of drafting a Statement of Common Ground with West Horndon Parish Council.</p>