



South Tyneside Local Plan Monitoring – Duty to Co-operate Statement

(December 2015)

The Duty to Co-operate, legally introduced by the [Localism Act 2011](#) (November 2011 – Part 6, Chapter 1, Section 110 which inserted Section 33A into Part 2 of the [Planning & Compulsory Purchase Act 2004](#)), requires local authorities to “engage constructively, actively and on an ongoing basis” with neighbouring authorities on strategic ‘larger than local’ spatial development matters relevant to statutory plans. Local planning authorities should also work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and the economic, social and environmental linkages clearly reflected in individual Local Plans, particularly those relating to the sustainable provision of land for and delivery of housing, employment development, retail and other commercial development, transport and utilities infrastructure. The Duty notably requires that local planning authorities should work together (including on plan making and infrastructure planning) to meet development requirements (eg. housing and employment) that cannot wholly and sustainably be met within their own areas.

The provisions of [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) (Part 8, Regulation 34(6)), the [National Planning Policy Framework](#) (NPPF, March 2012 – para.156 and 178-182) and the Government’s supporting [Planning Practice Guidance](#) (Duty to Co-operate note, para.020), require local planning authorities to give details as part of their Authority’s Monitoring Reports (AMR) of what action they have taken to comply with the Duty to Co-operate, including with regard to responding constructively to requests for co-operation. Demonstrating how the Duty to Co-operate requirements have been met is a key test in the independent examination of Local Plan documents.

The seven local authorities of the North East Local Enterprise Partnership area – namely Durham, Gateshead, Newcastle, North Tyneside, Northumberland (plus the Northumberland National Park Authority), South Tyneside and Sunderland – have developed an agreed [Duty to Co-operate Memorandum of Understanding](#) (MoU) and governance structure, which was agreed by the LA7 Chief Executives group on 5 October 2012. This was considered to be the best means of establishing a formal commitment to effectively coordinating ongoing dialogue and joint working on key strategic cross-boundary issues. It was further ratified by the LA7 Economic Directors group on 25 October 2012 and South Tyneside Council’s [Cabinet](#) on 31 October 2012. Building upon a long-established track record of regional joint working and co-operation, the LA7 Heads of Planning group and spatial planning managers for the North of Tyne and South of Tyne sub-areas also each meet on a regular basis to consider and work together on cross-boundary plan making issues and share evidence and working practices. A jointly-prepared detailed [position statement](#) on the MoU and key strategic issues and priorities was agreed by the LA7 Economic Directors, Chief Executives and North East Leadership Board in June 2013. Highlighting employment, housing and transport issues as particular areas requiring further focus, this statement is seen as a ‘living document’. The seven local authorities have been reviewing the MoU and position statement with view to updating it in early 2016, alongside potential preparation of a North East Planning Framework to support the regional devolution ask.

Furthermore, the LA7 group of North East local authorities came together to establish a Government-approved [North East Combined Authority](#) in April 2014. Working closely with the [North East Local Enterprise Partnership](#) (NELEP), this joined up city-regional approach is aimed at helping the seven local authorities to deliver economic growth through a more coordinated approach to important issues affecting the whole region focused around transport, skills and attracting inward investment to support employment. We also previously engaged with the NELEP through the preparation of the [North East Strategic Economic Plan](#) (SEP, March 2014).

South Tyneside Council and Sunderland City Council have also been working closely together with the NELEP since early 2013 on the joint [Sunderland and South Tyneside City Deal](#), the formal agreement for which was announced by Government on 14 March 2014 and signed on 19 June 2014. Seen as intrinsic to strengthening the foundations for economic growth for future generations, a core part of the multi-million pound City Deal will support the initial planning, design and land assembly for developing a proposed cross-boundary [International Advanced Manufacturing Park \(IAMP\)](#) as a hub for low carbon, automotive-related manufacturing supply chain industries on land to the north of Sunderland’s Nissan car plant. As reflected in the SEP, this circa 100ha development is expected

to create in the region of 5,200 new jobs by 2027, and potentially more beyond that, through private sector investment over the next 15-20 years. South Tyneside and Sunderland Councils are working closely together on taking this ambitious project forward through the planning process, including jointly commissioning various evidence base studies and the preparation of a joint [IAMP Area Action Plan](#) development plan document over the next few years that would form a statutory part of the two authorities' respective Local Plans. Initial public consultation on issues and options for the IAMP AAP took place February-March 2015, with Sustainability Appraisal scoping consultation between September-November 2015, and further consultation on Green Belt and Site Selection Options taking place December 2015 - February 2016. The two authorities have maintained ongoing liaison with other neighbouring authorities and statutory agencies such as Highways England and the Environment Agency throughout the project's evolution. The IAMP was also declared as a [Nationally Significant Infrastructure Project \(NSIP\)](#) by the Government on 15 September 2015 (S35 direction), such that its parallel planning application is now progressing through the Planning Inspectorate's development consent order (DCO) regime.

Cross-boundary partnership working has also involved jointly-commissioned region-wide evidence base studies into waste management and the joint local aggregates assessment for the North East, and with Sunderland on our gypsies and travellers accommodation needs assessment and Habitats Regulations Assessment over-wintering birds and visitor surveys. We also established commonly agreed approaches and methodologies with our neighbouring authorities for undertaking our strategic land and Green Belt review, building upon the established North East and Tyne & Wear approach for undertaking Strategic Housing Land Availability Assessments (SHLAA). In addition to close working with our Tyne & Wear and NELEP partner authorities, we regularly contribute to joint working across the wider region with the Tees Valley, North Yorkshire and Cumbria authorities through the North East Regional Aggregate Working Party and North East Waste Planning Group, as well as getting involved in broad discussions on strategic planning matters through the Royal Town Planning Institute's (RTPI) North East branch and their work towards a possible Great North Plan.

South Tyneside Council's Planning section has continued to actively engage with our other Duty to Co-operate partners too (as set out in our [Statement of Community Involvement](#) (SCI)) on a wide variety of matters in preparing for reviewing our fully-adopted [Local Development Framework](#) (LDF) and towards developing our forthcoming new [Local Plan](#). This has included correspondence with all statutory Duty to Co-operate consultee bodies over the past year-or-so, such as through the public consultation on strategic growth scenarios (June-July 2015) and the above IAMP consultations. More detailed liaison has also taken place with the likes of Northumbrian Water, Highways England, Natural England, the Environment Agency and Historic England, as well as with key non-Duty to Co-operate bodies such as Sport England, Nexus (the Tyne & Wear Passenger Transport Executive), the Port of Tyne Authority and UK Coal. Natural England and Historic England, for example, particularly contributed in the Sustainability Appraisal scoping work, while we have also liaised with Natural England, Sunderland and Durham in preparing for our Habitats Regulations Assessment work. South Tyneside and Sunderland Councils have been working together with Highways England on trunk road network modelling implications for the Local Plan and IAMP project too, coupled with their [NSIP](#) project for the A19 Testos and Downhill Lane interchanges.

We have also actively engaged with regard to cross-boundary issues in the consultation stages of neighbouring authorities' Local Plans, including on North Tyneside's and Northumberland's draft Local Plans (November 2015). As part of such Local Plan consultation responses, we have sought to ensure that any issues relating to the potential scope for providing for a proportion of each other's housing and economic growth requirements have been raised and considered where reasonable and appropriate to do so. We have not received any requests from neighbouring authorities to potentially help provide for some of their housing or employment development needs since they are seeking to either provide for their respective growth needs within their own areas or through agreements with other neighbouring authorities more closely associated with their cross-boundary housing market areas – South Tyneside is assessed through our Strategic Housing Market Assessment (SHMA) to be largely a distinctly separate housing market area from the rest of the sub-region. We also worked with colleagues in our neighbouring authorities to support them in preparing jointly-agreed position statements of common ground for the independent examinations of the joint Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne (Spring/Summer 2014) and for the County Durham Local Plan (Summer/Autumn 2014).

We have additionally responded to consultations from the North Yorkshire sub-region (North Yorkshire County Council, City of York Council, Yorkshire Dales and North York Moors National Park Authorities) on their Joint Minerals and Waste Plan with regard to the cross-boundary movement of minerals across the region and local aggregate assessment.