

Bolton Council

| | | | |
|--|---|--------------------------|--------|
| Report to: | Cabinet and Council | | |
| Date of meeting: | 8 th March 2021 (Cabinet) and 17 th March 2021 (Council) | | |
| Report of: | Director of Place | Report Number: | |
| Reporting Officer: | Paul Whittingham Assistant Director Economic Development and Regeneration | Telephone Number: | 336042 |
| Contact Officer: | Andrew Chalmers Principal Development Officer | Telephone Number: | 336109 |
| Report title: | Establishment of a Joint Committee to prepare a development plan on behalf of the nine districts. | | |
| Not confidential This report does not contain information which warrants its consideration in the absence of the press or members of the public. | | | |
| Purpose: | To seek the relevant approvals for Bolton’s involvement in the preparation of a joint plan of the nine GM districts, to be known as “Places for Everyone”, following Stockport’s withdrawal in December from the Greater Manchester Spatial Framework. This includes establishment of a new joint committee and delegation of powers to it. | | |

| | | |
|------------------------------|---|--------------------|
| Recommendations: | <p>The Cabinet is recommended to:</p> <p>10.1.1 Note the contents of this report;</p> <p>10.1.2 Refer the matter to full Council with a recommendation to:</p> <ul style="list-style-type: none"> (a) approve a new joint committee under Part VI of the Local Government Act 1972 along Bury Council, Manchester City Council, Oldham Council, Rochdale Borough Council, Salford Council, Tameside Metropolitan Borough Council, Trafford Borough Council and Wigan Council (b) delegate authority to the joint committee to prepare, adopt and implement 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 insofar as such matters are executive functions; (c) Agree the district lead Member for the joint committee and a nominated deputy to attend and vote as necessary; (d) 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. | |
| Decision: | | |
| Background documents: | | |
| Signed: | Leader/Executive Cabinet Member | Monitoring Officer |
| Date: | | |

| Consultation with other officers | | | |
|----------------------------------|-----|-------------|---------------------------|
| Finance | No | Insert date | Insert name |
| Legal | Yes | 9/2/21 | Nicola Raby/Sarah Woodall |
| HR | No | Insert date | Insert name |
| Procurement | No | Insert date | Insert name |
| Climate Change | No | Insert date | Insert name |

| | | | | |
|--|----|--------|---------------------------|---|
| Equality Impact Assessment | No | 9/2/21 | Tammy Tatman | |
| (a) Pre-consultation reports Is there a need to consult on the proposals? | | | No | |
| (b) Post consultation reports Please confirm that the consultation response has been taken into consideration in making the recommendations. | | | No | |
| Vision outcomes Please identify the appropriate Vision outcome(s) that this report relates or contributes to by putting a cross in the relevant box. | | | 1. Start Well | X |
| | | | 2. Live Well | X |
| | | | 3. Age Well | X |
| | | | 4. Prosperous | X |
| | | | 5. Clean and Green | X |
| | | | 6. Strong and Distinctive | X |

1. **INTRODUCTION & BACKGROUND**

- 1.1. Up until December 2020 a joint development plan document of the ten Greater Manchester local authorities was being prepared, Greater Manchester's Plan for Jobs, Homes & the Environment (known as the "GMSF"). Indeed, on 2nd November 2020 Cabinet considered a report entitled Greater Manchester Spatial Framework Publication Plan and approved the plan for publication, alongside other recommendations (CAB/912).
- 1.2. However, the decision at Stockport Council's meeting on 3rd December to not submit the GMSF 2020 following the consultation period and the subsequent resolution at its Cabinet meeting on 4th December not to publish the GMSF 2020 for consultation in effect signalled the end of the GMSF as a joint plan of the ten.
- 1.3. Consequently, at its meeting on the 11th December 2020, Members of the AGMA Executive Board asked officers to report back on the implications and process of producing a joint Development Plan Document (DPD) of the nine remaining Greater Manchester (GM) districts. A further report on 12th February noted the necessary action and approvals required from each of the nine councils, excluding Stockport, to enable the joint plan to progress.
- 1.4. This report sets out the rationale and scope of the plan, processes for which approval is being sought including the setting up a joint committee, implications for the council's Local Development Scheme and Statement of Community Involvement, and the interrelationship with Stockport and the joint DPD.

2. **RATIONALE AND SCOPE OF THE PLAN "PLACES FOR EVERYONE"**

- 2.1. Notwithstanding the decision of Stockport Council, the rationale for the preparation of a Joint DPD 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
 - Meet the Duty to Co-operate in s33A Planning and Compulsory Purchase Act 2004
- 2.2. Discussions between the nine authorities indicate that there is continued opportunity to work collaboratively to produce a joint plan of the nine, to be known as "Places for Everyone". Producing such a plan would enable Bolton and the other eight 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. PROCESS FOR PRODUCING THE JOINT PLAN 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 utilise Part VI of the Local Government Act 1972 to establish a new joint committee of the nine relevant districts – Bolton, Bury, 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.
- 3.2. Membership of the joint committee is a matter for the individual districts including Bolton to determine. However, it is suggested, for continuity purposes, that district Leaders form the membership of the committee, with the ability for a nominated deputy to attend 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 joint DPD. In the event that the draft joint DPD is considered to have substantially the same effect on the nine districts as the GMSF 2020, the next stage would be publication (Regulation 19 stage). As with the GMSF, each Cabinet/Executive will be responsible for approving the Regulation 19 version of the plan ahead of a period for representations to be made. 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.
- 3.4. The preparation of the joint DPD will need to be reflected in each District's Local Development Scheme (LDS), which identifies the timetable for the production of local development documents such as this one. Similarly, district Statements of Community Involvement (SCI) will need to make reference to the joint DPD appropriately and 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. The council will therefore need to consider what changes are needed to these documents as a result of the actions proposed at the front of this report and ensure that the necessary steps are taken.

- 3.5. 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.

4. **INTERRELATIONSHIP WITH STOCKPORT AND THE JOINT DPD PLACES FOR EVERYONE**

- 4.1. Whilst Stockport Council has withdrawn from the joint planning process of preparing the GMSF, to prepare its own local plan, it 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.
- 4.2. Under s33A 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 which 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. Where the scope of such matters dictate, such as conurbation wide issues, it may be appropriate for reports to be brought back to the AGMA Executive Board for information and/or consideration.

5. **NEXT STEPS**

- 5.1. The process of establishing the joint committee and delegating powers to it will enable a draft of the joint DPD Places for Everyone to be produced in a timely fashion.

6. **IMPACTS AND IMPLICATIONS:**

5.1 **Financial**

- 5.1.1 None.

5.2 **Legal**

- 5.2.1 Part VI of the Local Government Act 1972 empowers the Council to arrange for the discharge of Council functions through a Committee. All arrangements regarding the proposed new joint committee will, therefore, be made in accordance with the relevant provisions within the Local Government Act 1972 and legal advice and assistance will be available throughout the process.

5.3 **HR**

- 5.3.1 None.

5.4 **Climate Change**

- 5.4.1 A Joint Development Plan of the 9 will provide a planning policy framework to support Greater Manchester's ambition to be carbon neutral by 2038.

5.5 **Other**

- 5.5.1 None.

7. **EQUALITY IMPACT ASSESSMENT (EIA)**

- 7.1. Under the Equality Act 2010, the council has a general duty to have due regard to the need to:

1. **eliminate unlawful discrimination**, harassment, victimisation and any other conduct prohibited by the Act;
2. **advance equality of opportunity** between people who share a protected characteristic and people who do not share it; and
3. **foster good relations** between people who share a protected characteristic and people who do not share it.

- 7.2. At this stage it is not anticipated that the proposals will have a disproportionate impact on any of Bolton's diversity groups. The proposals focus on the establishment of a GM wide implementation group to refresh and deliver the DPD. Further equality assessments will be undertaken when future implementation reports come forward.

8. **CONSULTATION**

- 8.1. Consultation has been carried out on previous versions of the GMSF, and production of the joint plan will allow for consultation and formal representations at appropriate stages in line with statutory requirements.

9. **VISION 2030**

- 9.1. The joint plan will contribute significantly to the whole range of Vision 2030 outcomes. It will provide an important opportunity to create the conditions for inclusive economic growth, provide opportunities for provision of much needed homes and protect and enhance the natural environment. It will provide a platform for development that enables the attraction of central government funding to deliver affordable housing and infrastructure; enable utilities to deliver their infrastructure investment; give confidence to the private sector to grow and invest in GM; provide a route by which construction can proceed, providing short term economic stimulus; and provide a mechanism for accelerating the low carbon / sustainability agenda.

10. **RECOMMENDATIONS**

10.1. The Cabinet is recommended to:

10.1.1 Note the contents of this report;

10.1.2 Refer the matter to full Council with a recommendation to:

- (a) approve a new joint committee under Part VI of the Local Government Act 1972 along Bury Council, Manchester City Council, Oldham Council, Rochdale Borough Council, Salford Council, Tameside Metropolitan Borough Council, Trafford Borough Council and Wigan Council
- (b) delegate authority to the joint committee to prepare, adopt and implement 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 insofar as such matters are executive functions;
- (c) Agree the district lead Member for the joint committee and a nominated deputy to attend and vote as necessary;
- (d) 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.