

# **Duty to Co-Operate Statement and Monitoring Bulletin**

## **2013/14 to 2017/18**

This statement sets out, as required by the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) which came into force on 6th April 2012, the Duty to Co-operate activity undertaken between 2013/14 and 2017/18. The Duty to Cooperate activities are set out under the Localism Act 2011 that are relevant to Newham are:

- the preparation of development plan documents;
- the preparation of other local development documents;
- activities that can reasonably be considered to prepare the way for activities above; and
- activities that support the preparation of development plan documents or other local development documents.

This report summarises the above activities under three main headings:

- Development management (as a relevant activity for paving the way for plan-making activities)
- Shaping Newham's policy (preparation of development plan documents or other local development documents and related activities); and
- Shaping the wider strategic context (activities supporting the preparation of development plan documents or other local development documents, or paving the way to prepare such documents).

The London Borough of Newham (LBN) borders seven neighbouring Local Planning Authority (LPA) areas: London Borough of Tower Hamlets, London Borough of Waltham Forest, London Borough of Redbridge, London Borough of Barking and Dagenham, London Borough of Bexley, London Borough of Greenwich, and the Mayor's London Legacy Development Corporation.

The Town and County Planning (Local Planning) Regulations 2012 (as amended) further identify the prescribed bodies to which the Duty applies as:

- the Environment Agency;
- Historic England;
- Natural England;
- the Mayor of London (as represented by the Greater London Authority);
- the Civil Aviation Authority;
- the relevant Clinical Commissioning Group (as representative of the NHS and successor to Primary Care Trusts);
- the Office of Rail Regulation;
- Transport for London (acting as the Integrated Transport Authority for London);

- each relevant Highway Authority (in this case TfL as above and LBN itself; as there are no motorways in the Borough, the Highways Agency has no remit);
- the Marine Management Organisation;
- any Local Enterprise Partnership or Local Nature Partnership (in this instance the London Enterprise Panel, also represented by the GLA).

Note that the Homes & Communities Agency listed at Part 2, regulation 4(f) no longer exists, its role being subsumed by the GLA.

The London Economic Action Partnership (LEAP, London's LEP) have confirmed that they do not respond to borough-level consultations on Local Plan documents given the GLA's existing strategic role which is exercised through liaison with the Mayor's office.

No local nature partnership (LNP) is active in London.

The Council keeps detailed records of its activity; the following is a summary.

### Development Management

In the period between 2013/14 and 2017/18, the most frequent cross-boundary co-operation over Development Management matters was with the London Legacy Development Corporation. In respect of this, as a statutory consultee, officers sought to advise on the satisfactory implementation of the LB Newham (LBN) Local Plan, and then to ensure that the LLDC's own Local Plan was complementary to Newham's.

Other neighbouring authorities' Development Management consultations were also responded to where of concern to Newham, such as in relation to the proposed Bluewater Shopping Centre expansion. In these matters, we drew attention to particular strategic issues and impacts that needed due assessment.

Further, statutory consultees have been engaged on all relevant planning applications (and sometimes at pre-application stage). Whilst individually these are not strategic matters, the issues raised help to evaluate the effectiveness of existing policy and inform plan review as per the Duty to Co-operate requirement. :

### Shaping Newham's Policy

Formal and Informal engagement with prescribed bodies and neighbouring local authorities regarding the Detailed Sites and Policies DPD was the main focus of cooperation activity from 2013 until the plan's adoption in October 2016. Issues identified through the Duty to Cooperate process helped to

shape policies. More detail can be found in the DSPDPD Duty to Cooperate Statement, available on the Council's website<sup>1</sup>.

The Gypsy and Traveller Accommodation DPD presented another work stream in the relevant period. As the Duty to Cooperate bodies most likely to have a vested interest in Newham's ability to meet its specialist housing needs, neighbouring planning authorities were engaged with throughout the evidence base production process, through formal notification of consultation procedures, the LLDC's Planning Policy Forum (detailed further below) and in more informal discussions and correspondence. None of the Council's neighbouring planning areas have required Duty to Cooperate procedures to be invoked in order to meet unmet need. The plan underwent examination in January 2017 and was adopted in September 2017.

Since 2016, work has also been ongoing on the Local Plan Review, to deliver an updated, strengthened and consolidated Local Plan. This is now at an "advanced" stage of preparation, having regard to NPPF, following submission to the Secretary of State for independent examination in February 2018. This has built on existing formal and informal cooperation arrangements with prescribed bodies, neighbouring local authorities and others. More detail can be found in the Local Plan Review: Duty to Cooperate Statement (Feb 2018), available on the Council's website<sup>2</sup>.

### Shaping the Wider Strategic Context

A watching brief was maintained on all adjoining LPAs' planning policy documents, and those with other strategic linkages (e.g. waste pathways) plus GLA planning policy documents and guidance, with attendance at Duty to Cooperate meetings and conference calls where appropriate.

Work with the GLA has been extensive, involving responses to statutory consultations on SPGs and reiterations of the London Plan (Further alterations to the London Plan, Minor Early Alterations to the London Plan, and the Draft New London Plan), as well as other work streams such as the ongoing engagement on the production of the Royal Docks joint evidence base (e.g. concerning employment land demand), and participation in the Pan-London SHLAA in 2017.

The Planning Policy Forum is convened by the London Legacy Development Corporation (LLDC) for planning officers from authorities adjoining the LLDC area to working to ensure consistency between Local Plans. Meeting typically monthly, the group ordinarily consists of LBN, LLDC, LBTH, LBH, LBWF, and the Lea Valley Regional Park Authority. Engagement on the LLDC Local Plan (adopted 2015) included discussion on common issues: housing delivery and mix, specialist accommodation, higher quality development design

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<sup>1</sup><https://www.newham.gov.uk/Documents/Environment%20and%20planning/SD08.%20Duty%20to%20Cooperate%20Statement.pdf>

<sup>2</sup><https://www.newham.gov.uk/Documents/Environment%20and%20planning/SD08DutyToCooperateStatementFeb18.pdf>

aspirations, key cross-boundary connections, support for cycling and walking, and support for the growth of Stratford Metropolitan Centre. With the exception of housing mix (the LLDC did not agree with LBN's prioritisation of 3 bed housing) engagement allowed for broad approaches to be agreed and provided the opportunity to share information/ evidence pertaining to LBN's policy context. This allowed for topics that are common to both authorities to be addressed in a cohesive way - especially in terms of adjacent site allocations – to ensure a robust approach to policy writing in the area of LBN subsumed within the LLDC. The LLDC are currently in a Local Plan review and LBN have participated on workshops and detailed policy and evidence base discussions as part of the regular Forum meetings.

Ongoing co-operation continues in respect of more detailed aspects of cross-boundary transport links and other transport issues of more than local significance, which all influence Newham's development context. Cross-boundary/inter-authority discussions with neighbouring boroughs and others (such as the GLA/TfL, Port of London Authority, Lee Valley Regional Park Authority, Royal Docks Management Trust) on key projects sought to resolve key differences and further objectives concerning river crossings at Beckton and Silvertown, cycling infrastructure (the Lea Way), infrastructure requirements for the Royals and Beckton, and national airport strategy. The river crossings and airport strategy work fed into long running policy and options review processes which have yet to conclude.

More generally, officers participated in the regular London-wide meetings of:

- The Association of London Borough Planning Officers (ALBPO) where good practice is shared, and general liaison occurs over London-specific issues, on a monthly basis.
- The London Boroughs Biodiversity Forum (LBBF) is a quarterly meeting of council officers (ecologists, conservation officers, and planners) to share knowledge around the preparation and implementation biodiversity policies across the capital.
- The London Waste Planning Forum (LWPF) is a forum bringing together LPAs, the GLA, Environment Agency, and private sector providers to enable co-operation across administrative boundaries.

## Implementation

Infrastructure project work with TfL has variously included discussion of river crossings, DLR extensions (Beckton to Thamesmead, and Beckton to Barking), new DLR stations (Thameside West and Beckton Riverside) DLR capacity and depot requirements, pedestrian and cycling and interchange interventions (notably at Custom House, West Ham and Stratford and along North Woolwich Road). These projects are at various stages in the planning and implementation process, as reported in the iterations of the IDP.

Lea River Park delivery work involved joint working between LLDC, LBTH and LBN on the creation of a Design Manual (latest version published March 2016) and a Primer (October 2016) to help guide development in the vicinity and direct funding towards delivery of the park. Pooled S106 contributions have helped deliver several connectivity projects to date, including:

- Ramp and landscaped access from Twelvetrees Crescent Bridge;
- Poplar Reach cable bridge;
- Leamouth North bridge linking City Island development to Canning Town Station;
- Riverside access from Twelvetrees to Cody Dock;
- Improved access, landscaping and art installation at Limmo Peninsula Ecological Park.

Further project feasibility work is ongoing. A jointly funded project manager post (LBN, LB Tower Hamlets, plus LLDC and GLA) ensures continued coordinated delivery.

Engagement with the Newham CCG since September 2016 to determine the future of their estates in the context of meeting increasing need arising from the existing and future population has led to updates to the IDP in terms of healthcare infrastructure requirements, and has resulted in the proposed allocation in the draft Local Plan of a number of non-strategic social infrastructure sites, identified for their ability to bring forward or consolidate healthcare floorspace in the borough.

Joint infrastructure/investment planning is ongoing under the auspices of the joint GLA-LBN Royal Docks Delivery team to improve the infrastructure, activation and profile of the Royal Docks Enterprise Zone to ensure it realises its potential in economic, social and environmental terms.

### Summary conclusion

Engagement with all Duty-to-Cooperate partners has been positive, ongoing and pro-active, helping to secure better outcomes through the plan-making and development management processes, as well as parallel work streams on socio-economic regeneration, infrastructure funding and delivery, monitoring etc.

Plan-making engagement with neighbouring LPAs (particularly the LLDC) and with the GLA has helped determine Newham's capacity to meet its Objectively Assessed Need as part of the wider pan-London housing market (through the SHLAA). It has also helped secure synergy in regional economic growth strategies and related employment land allocations/designations.

Engagement with TFL, the wider GLA, LLDC and LBTH has helped secure a coordinated approach to transport enhancements to support identified potential for growth, particularly within the Arc of Opportunity. Similarly, engagement with NCCG has helped identify and safeguard health infrastructure growth required to meet Newham's sustainable, healthy communities objectives.

Engagements with EA, Historic England and Natural England at both plan making and decision taking stages have helped ensure that development in Newham meets wider environmental and socio-economic objectives.