

Memorandum of Understanding under the Duty to Co-operate
between
Luton Borough Council (LBC) and Stevenage Borough Council (SBC)
on
The Luton Local Plan 2011-31 and the Stevenage Local Plan 2011-31
Date of agreement: June 2016

1. Scope of the Memorandum

This document (known as a Memorandum of Understanding, MOU) has been prepared under the Duty to Co-operate. It provides a position statement on the extent of co-operation and understanding in respect of the preparation of development plans covering both Stevenage and Luton. The MOU is intended to set out the position of both signing authorities and be kept up-to-date as both local planning authorities reach key milestones in the preparation of their respective plans.

This MOU is intended to highlight the extent of agreement, or otherwise on strategic cross-boundary matters providing signposting to relevant related documentation, where appropriate.

The shared objective of both authorities is to facilitate the rapid progression of sound local plans towards adoption in accordance with Government wishes.

2. Luton Local Plan (2011-31)

This MOU has been prepared in the context of the pre-submission version of the Luton Local Plan (2011-31) which was placed on public deposit for a six week period ending 7 December 2015. The SOCG was prepared in March 2016 in the period leading up to the planned submission of the plan to the Secretary of State for independent examination.

3. Stevenage Borough Local Plan 2011-31

This MOU has been prepared in the context of the publication version of the Stevenage Borough Local Plan (2011-31) which was placed on public deposit for a six weeks period ending 17 February 2016. The MOU was prepared in March 2016 in the period leading up to the planned 22 July 2016 submission of the plan to the Secretary of State for independent examination. .

4. Matters agreed

Engagement between the two authorities under the Duty to Co-operate has inevitably focussed on the scale and distribution of housing and employment provision across the sub region. Following a period when there was uncertainty on the most appropriate way in which future growth might be handled this MOU highlights how there is a shared and common objective to resolve the issues of the scale and distribution of future growth in a manner which encompasses joint technical working, continuing Member involvement and through the early adoption of local plans.

It is important to place on record, however, that discussions between the two authorities have embraced the full range of strategic cross-boundary matters covered by the Duty to Co-operate to include, the overall approach to each plan, housing needs and supply including Luton's housing shortfall and migration, the economy including the implications of economic growth for employment and the land to accommodate rising job numbers, town centres, the infrastructure implications for public and private transport including commuting, the implications for Green Belt, minerals and waste (where there is an extant local plan covering both authorities), water resources including flooding, air quality matters and finally Gypsies and Travellers.

Both authorities are content that the Duty to Co-operate has been met thus far and ongoing liaison will ensure that this continuing requirement will be effectively addressed. It is the opinion of LBC that SBC's Local Plan 2011-2031 is sound and has been correctly prepared. It is the opinion of SBC that LBC's Local Plan 2011-2031 is sound and has been correctly prepared.

In respect of the scale and distribution of housing provision the following matters are agreed:

- (i) The report 'Housing Market Areas in Bedfordshire and surrounding areas Report of Findings December 2015' by ORS identifies the Luton Housing Market Area to cover the whole of Luton and a significant proportion of Central Bedfordshire as well as smaller parts of Aylesbury Vale and North Hertfordshire Districts. The discussions held under the DtC have therefore confirmed that neither authority is presently seeking any part of the housing requirements arising within their respective HMAs' to be accommodated in each others local plans'.
- (ii) The October 2015 update of the Strategic Housing Market Assessment for Luton and Central Bedfordshire identifies the scale of Objectively Assessed Housing Needs for the Luton HMA as 31,200 net additional dwellings over the period 2011-31 and within this the requirement for Luton's administrative area is 17,800 additional dwellings with the balance of 13,400 dwellings falling across the remainder of the Luton HMA.
- (iii) Luton has a significant shortfall in its capacity to accommodate its objectively assessed level of housing needs within its boundary. LBC estimate the shortfall at 11,100 dwellings but have committed to a review of their SHLAA to an April 2016 so that the public examination has the very latest information to inform the discussion at the examination.
- (iv) A Joint Growth Options Study covering the Luton HMA has been agreed between Central Bedfordshire Council, Luton Borough Council, Aylesbury Vale District Council and North Hertfordshire District Council. This was commissioned in March 2016.
- (v) The objective for the Joint Growth Options Study is to accommodate the housing requirements arising in the Luton HMA within the HMA. Only in the event that this cannot be achieved would there be any contingent request made of other authorities to accommodate any outstanding balance of the need and that in this event a second, separate study would be required. SBC will be involved as part of the Luton HMA Growth Options Study as part of a wider Reference Group.
- (vi) The outputs of the Growth Options Study will enable the Local Plans of the commissioning authorities to proceed to adoption with differing end-dates and to be the

subject of early review where this proves necessary. This is important to enable Local Plans to proceed in advance of, or in parallel with the Joint Growth Options Study as well as permitting local plans to be put in place in accordance with Government requirements.

5. Outstanding matters

There are no outstanding matters between the two authorities at the present time (i.e. the date this MOU was signed).

6. Commitment to future co-operation

Both SBC and LBC remain committed to effective co-operation on all matters relating to the Duty to Co-operate and undertake to review and update this agreement as appropriate as key milestones are reached as part of respective plan preparation and reviews.

7. Evidence of co-operation

- **Stages of local plan preparation since April 2012 with dates of consultation responses**

Plan	Consultation	Date of response
Luton Local Plan 2011-31	Local Plan 2011 – 2031, Regulation 18 part 1 July/ August 2012	No response
Luton Local Plan 2011-31	Local Plan 2011 – 2031, Regulation 18 part 2 June 2014	15 August 2014
Luton Local Plan 2011-31	Local Plan 2011-2031, Regulation 19 Pre submission consultation stage October/ December 2015	No response
Stevenage Borough Local Plan 2011 - 2031	Stevenage Borough Local Plan – early stage consultation	January 2013
Stevenage Borough Local Plan 2011-31	Stevenage Borough Local Plan - Key Issues and preferred options consultation	July 2013
Stevenage Borough Local Plan 2011-31	Stevenage Borough Local Plan – Revised housing target consultation	July 2015
Stevenage Borough Local Plan 2011-31	Stevenage Borough Local Plan – Publication stage consultation	February 2016

• **Details of meetings involving SBC and LBC with dates***

Date	Purpose	Actions/Outcomes
11 February 2016	Luton FEMA workshop. To share emerging findings of the FEMA study.	Feedback from workshop to be taken into account by consultants preparing the study. SBC invited but unable to attend.
18 December 2015	Duty to Co-operate meeting to discuss the Pre-Submission Luton Local Plan, the Stevenage Local Plan and strategic cross boundary matters.	Richard Javes (SBC) and Kevin Owen (LBC) to discuss the Pre-Submission Luton Local Plan, the Stevenage Local Plan and strategic cross boundary matters. Richard Javes indicated that SBC would welcome a portfolio holder meeting with Luton with a view to progressing an MoU or Statement of Common Ground in relation to the Strategic Priorities and the Joint Growth Options Study.
21 st May 2014	Luton and Central Bedfordshire SHMA Area Portfolio Holders and Officers Meeting. Attendees: LBC, Central Bedfordshire Council, NHDC, Bedford Borough Council, Aylesbury Vale District Council, Dacorum Borough Council, Stevenage Borough Council, Milton Keynes Council, St Albans and District Council, ORS Consultants, NLP Consultants	Actions: Circulate changes / draft MOU ORS to circulate updated SHMA and Comments Table
17 th April 2014	LBC, CBC, NHDC, BBC, AVDC, DBC, SBC, MKC, SACDC, DCLG Duty to Cooperate Members and Officers Meeting and Workshop	Purpose of meeting: plan making process as set out in the National Planning Policy Framework (NPPF) and Planning Policy Guidance (PPG) in terms of determining the objectively assessed housing need. Three Presentations - ORS presentation on the Luton & Central Bedfordshire SHMA Refresh to date

		<ul style="list-style-type: none"> - Luton BC presentation on development capacity in Luton - Central Beds presentation on Duty to Cooperate (DtC) and how Luton's unmet housing needs might be portioned to neighbouring authorities <p>Agreed Actions</p> <ul style="list-style-type: none"> - Officers and Portfolio Holders to discuss and come back to CP with ideas for discussion for 8th May meeting - ORS to send round facts and figures about migration flows - ORS / Luton BC / Central Beds to circulate draft updated SHMA including Stage 2 (affordability section) - Luton BC to circulate note on employment land.
8 th April 2014	SHMA Officers Steering Group Duty to Cooperate Meeting in advance of members meeting.	A note summarising the comments of each LA was made for ORS
25 th February 2013	Officer level discussions on the Duty to Cooperate.	Meeting note?
15th January 2013	Officer level discussions on the Duty to Cooperate.	Draft Meeting note available.

- **Liaison on shared evidence**

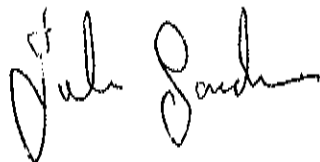
Evidence	Shared involvement
Housing Market Areas in Bedfordshire and surrounding areas Report of Findings December 2015, ORS	Both SBC and LBC amongst commissioning authorities and part of steering arrangements.
Luton Housing Market Area Joint Growth	LBC amongst commissioning authorities

Options Study	(along with Central Bedfordshire Council, North Hertfordshire District Council and Aylesbury Vale District Councils). SBC are integral to the study as part of a wider Reference Group. Land Use Consultants (LUC) commissioned March 2016.
Luton and Central Bedfordshire Strategic Housing Market Assessment 2010, 2012, , 2014, 2015	Both SBC and LBC on steering group.

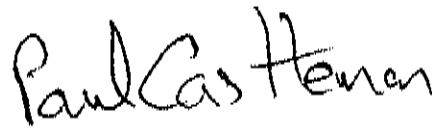
Signatories to this Memorandum of Understanding

For and on behalf of Stevenage Borough Council:

For and on behalf of Luton Borough Council:



Councillor John Gardner
Portfolio Holder for Environment



Councillor Paul Castleman
Portfolio Holder for Transport & Infrastructure

Date:

Date: 2 June 2016

Appendices

Correspondence, responses to consultations and notes of meetings referred to above attached in chronological order.