

**Rochford New Local Plan:
Spatial Options Consultation 2021**

Topic Paper 5: Duty to Co-operate

Temporary Cover

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Advisory Note

The National Planning Policy Framework (NPPF) was subject to a formal revision in July 2021, just before these papers were published. As a consequence, paragraph numbers and other references to the 2019 NPPF made in this document may no longer relate exactly to the latest version of the NPPF.

The principles set out in referenced paragraphs have not been subject to extensive change and references made are therefore still considered to be accurate reflections of national policy.

1 Introduction

- 1.1 Rochford District Council (RDC) has good and well established history of working together with neighbouring local authorities, Essex County Council (ECC) and other prescribed bodies on plan-making. This topic paper explains how RDC has fulfilled its requirements, to date, in relation to effective joint working as set out by the Duty to Co-operate under the Localism Act 2011.
- 1.2 Paragraph 24 of the National Planning Policy Framework (NPPF) identifies that local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.
- 1.3 Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. They should also engage with their local communities and relevant bodies including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected Mayors and combined authorities (in cases where Mayors or combined authorities do not have plan-making powers) (Paragraph 25, NPPF)
- 1.4 Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere. (Paragraph 26, NPPF)
- 1.5 This topic paper describes how strategic matters have been considered and addressed in plan-making at the time of the Council's new Local Plan: Spatial Options consultation.
- 1.6 Formal records such as records of meetings and minutes have not been included within this Topic Paper but will be included in a formal compliance statement in due course.

2 Requirements of the Duty to Co-operate

- 2.1 The Localism Act came into effect in November 2011 and sets out the requirements that local authorities must fulfil in relation to the Duty to Co-operate. Section 110 of the Localism Act 2011 inserts the Duty to Co-operate in relation to sustainable development as a new section 33A of the Planning and Compulsory Purchase Act 2004. Under this Act, the Town and Country Planning Regulations 2012 identify the prescribed bodies (listed below) that local authorities are required to engage with actively and on an ongoing basis to maximise the effectiveness of local and marine plan preparation relating to strategic cross boundary matters.
 - Adjoining Authorities
 - Environment Agency
 - Historic and Monuments Commission for England (known as Historic England)

- Natural England
 - Mayor of London
 - Civil Aviation Authority
 - Homes and Communities Agency
 - Office of the Rail Regulator
 - Transport for London
 - Highways Agency
 - NHS Clinical Commissioning Group
 - NHS England
 - The Marine Management Organisation
- 2.2 The NPPF sets out the framework detailing the duty of Local Authorities and other public bodies to co-operate on cross boundary planning issues. It elaborates on how strategic planning matters should be addressed in local plans
- 2.3 The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities. LPAs are expected to work collaboratively with other bodies to ensure that strategic priorities across local authority boundaries are properly coordinated and clearly reflected in local plan
- 2.4 Strategic priorities for addressing under the Duty to Co-operate may include:
- The homes and jobs needed in the area;
 - The provision of retail, leisure and other commercial development;
 - The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - The provision of health, security, community and cultural infrastructure and other local facilities; and
 - Climate change mitigation and adaption, conservation and enhancement of the natural and historic environment, including landscape.
- 2.5 Specific guidance on how the Duty should be applied is included in the Planning Practice Guidance (PPG). This makes it clear that the Duty requires a proactive, ongoing and focussed approach to strategic matters. Constructive cooperation must be an integral part of plan preparation and result in clear policy outcomes which can be demonstrated through the examination process. The PPG makes it clear that the Duty to Co-operate requires cooperation in two tier LPA areas and states “Close cooperation between District LPAs and County Councils in two tier LPA areas will be

critical to ensure that both tiers are effective when planning for strategic matters such as minerals, waste, transport and education.”¹

- 2.6 Joint working should enable LPAs to work together on strategic planning priorities, to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of the NPPF. As part of this process, LPAs should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.
- 2.7 The Government expects LPAs to work effectively and collaboratively on strategic planning priorities to enable delivery of sustainable development in consultation with Local Enterprise Partnerships (LEPs) and Local Nature Partnerships (LNPs). LPAs should also work collaboratively with private sector bodies, utility and infrastructure providers.

3 New Local Plan Progress

- 3.1 Between 2011 and 2015, the Council adopted a full suite of policies which form the current local development plan for the district. The Council is at the early stages of reviewing its local development plan to take account of changes at the national and local level, including new evidence. Key dates for the preparation of the Council’s new Local Plan are set out in Table 1. This timetable is taken from the Local Development Scheme adopted July 2021.

Table 1 – Key dates for Rochford District new Local Plan

Stage	Target Date
Evidence base preparation	January 2015 onwards
Call for Sites	June 2015 – March 2016
Early community engagement	Autumn/Winter 2016
Issues and Options Document public consultation	Winter 2017
Spatial Options Document public consultation	July/August 2021
Preferred Options Document public consultation	Spring 2022
Proposed Pre-Submission Document public consultation	Autumn/Winter 2022
Submission to Secretary of State for independent examination	2023
Examination hearings	2023

¹ Paragraph: 014, Reference ID: 9-014-20140306

Stage	Target Date
Inspector's Report expected	2023
Adoption by Full Council	Before end 2023

4 Planning Inspectorate

4.1 The Planning Inspectorate's Local Plan Guidance² sets out guidelines on how the Duty to Co-operate will be assessed during public examination.

4.2 The Guidance states the following:

“Section 20(2) of the PCPA specifically states that the LPA must not submit the plan unless they think it is ready for independent examination. Having considered the Regulation 19 consultation responses, the LPA should only submit a plan if they consider it to be sound and there will not be long delays during the examination because significant changes or further evidence work are required. It must not be assumed that examinations can always rectify significant soundness or legal compliance problems. **Before submission, the LPA must do all it can to resolve any substantive concerns about the soundness or legal compliance of the plan, including any raised by statutory undertakers and government agencies. Particular attention should be given to the duty to cooperate. Statements of Common Ground can be very helpful in this regard.**”

4.3 Paragraphs 1.15 and 1.16 further state the following:

1.15. In order to demonstrate compliance with the duty to co-operate (section 33A of the PCPA), the most helpful approach is for the LPA to submit a statement of compliance with the duty. The statement of compliance should identify any relevant strategic matters and how they have been resolved – or if they have not, why not. It should detail who the LPA has co-operated with and on which strategic matter(s), the nature and timing of the co-operation (e.g. by including meeting notes), and the outcomes of the co-operation, including how it has influenced the plan. As part of this process, NPPF paragraph 27 advises that the LPA should prepare one or more statements of common ground with relevant bodies. The PPG on Plan-making contains guidance on preparing such statements.

1.16. The Inspector will need to be satisfied that the LPA has met the duty to co-operate by engaging with neighbouring authorities and other bodies constructively, actively and on an ongoing basis, in order to maximise the effectiveness of the plan preparation process (See PCPA, section 33A and Regulation 4 which define the duty to co-operate and the bodies with which the LPA is required to co-operate).

4.4 Any failure to meet the Duty cannot be rectified after the plan has been submitted for examination. Therefore any fundamental concerns on this matter shall be explored at the earliest possible stage by the Inspector, and so this is the first test that the Inspector will apply to a submitted plan during examination; whether there has been

² [Procedure Guide for Local Plan Examinations - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444242/Procedure-Guide-for-Local-Plan-Examinations-2019.pdf)

compliance with Duty to Co-operate through the need to demonstrate active, ongoing and meaningful engagement on strategic priorities with the relevant prescribed bodies.

- 4.5 In practice this means working closely with neighbouring local authorities and other prescribed bodies to ensure all strategic matters are adequately addressed prior to submitting our new Local Plan for examination, as far as is possible.
- 4.6 The consequences and potential risks to plan delivery of failing to meet the Duty should not be taken lightly. If an Inspector finds that the Duty has not been complied with, this could result in LPAs withdrawing their plan and having to restart the process from the ‘point of failure’ which may incur significant costs. As a result delays are likely to occur in plan production, possibly leading to lost opportunities, and in the worst case, inappropriate development and planning by appeal. This may then incur further costs for LPAs. There is also reputational risk.

5 Co-operative Engagement

- 5.1 RDC actively participates in many varying partnerships, boards and forums to influence and engage in the effective delivery of strategic objectives across a wider area. The Council is committed to an iterative process to ensure that it is appropriately informed of any relevant issues that it could address as part of its own plan making and general Local Government functions. They include, in descending order of geographical reach:

(a) **South East Local Enterprise Partnership (SELEP)**

SELEP is the largest Local Enterprise Partnership outside London, bringing together leaders from business, further and higher education, and local government across the four federated areas of Kent and Medway, East Sussex, South Essex (Opportunity South Essex) and Greater Essex. By exploring opportunities for, and addressing barriers to growth, SELEP aims to create an enterprising economy.

RDC is an active member of SELEP and participates in all its activities, wherever possible. This has resulted in significant financial contributions by SELEP to help fund specific ambitious projects in and around the District. Examples of projects and cooperation include:

- Part funding the costs of setting up a new high-tech, high quality business park, situated to the north west of London Southend Airport. The business park forms part of a joint plan between RDC and Southend Borough Council – the London Southend Airport and Environs Joint Area Action Plan (or JAAP). This funding has been allocated to Southend Borough Council; however RDC and ECC will work cooperatively with Southend Borough Council to ensure the most effective use of this funding to deliver economic growth in the District.
- A127 Improvement Schemes, including the A127/A130 Fairglen Interchange, as part of the upgrade to this strategic transport corridor

connecting South Essex to London, M25, and the A130 northwards towards Chelmsford city, and beyond.

SELEP has prepared its Strategic Economic Plan (2014) for the period 2014-2021 which sets out its aims for improving transport infrastructure and unlocking key locations to deliver growth³. This plan is now being revised.

(b) Essex and Greater Essex (including unitary authorities)

The 'Essex area' refers to the two tier administrative area of ECC and the 12 District/ Borough/City Councils, including RDC. Reference to Greater Essex comprises the above 'Essex area' and the two unitary authorities of Southend and Thurrock Borough Councils. As a two tier authority system, ECC is the authority responsible for key infrastructure services in the District; including highways, education, healthcare and communications. ECC is also the minerals and waste LPA. Co-operative working takes place on all of these areas to provide the best possible outcome and service.

Given ECC's important role in delivering key infrastructure services, we work closely with them on planning policy matters. ECC involvement at the LPA level includes:

- A key partner within Essex promoting economic development, regeneration, infrastructure delivery and new development throughout the County; and
- The strategic highway and transport authority, including responsibility for the delivery of the Essex Local Transport Plan and as the local highway authority; local education authority; Minerals and Waste Planning Authority; local lead flood authority; and a major provider of a wide range of local government services throughout the county of Essex.

At the Greater Essex level, planning officers meet through the Essex Planning Officers Association⁴ (or EPOA) to share knowledge and best practice across the County; this includes discussions of areas of mutual interest such as appeals, local plan progress, Duty to Co-operate issues and consideration of joint responses to regional or national consultations. Joint evidence is also a consideration and there are examples of joint planning commissioned under EPOA including Gypsy and Traveller Accommodation Assessments, Gypsy and Traveller Transit Site Assessments, and Parking Standards Reviews.

ECC is the LPA for Minerals and Waste planning across the two tier area. The Replacement Minerals Local Plan (MLP) was prepared by ECC as the Minerals Planning Authority and forms part of the local development plan for RDC. The MLP was adopted on 8 July 2014, and it provides the planning

³ www.southeastlep.com/images/uploads/resources/SECTION_2_South_East_LEP_-_Growth_Deal_and_Strategic_Economic_Plan_WEB-2.pdf

⁴ www.uttlesford.gov.uk/EssexPlanningOfficersAssociation

policies for minerals development up to 2029, and identifies the locations of future minerals development in the county. It seeks to reduce the demand for primary mineral use, encourage more recycling of aggregate and safeguarding mineral resources, reserves and important facilities. A review of the MLP commenced in 2020.

ECC as the Waste Planning Authority has separately prepared a joint Replacement Waste Local Plan (WLP) with Southend Borough Council to replace the adopted Essex and Southend on Sea Waste Local Plan (2001). The draft Replacement WLP sets out the vision and policies for managing waste development in the county in the future. The WLP was adopted by ECC in July 2017.

ECC is the Lead Local Flood Authority (LLFA) under the Flood and Water Management Act 2010. This means that their responsibilities include: managing local flood risk, prepare and maintain a strategy for local flood risk management and taking a leading role in emergency planning. The Essex Partnership for Flood Management (EPFM) was created in 2011 to encourage wider interaction and engagement by bringing together all key stakeholders, to address matters surrounding flooding in Essex. The board meets quarterly and continues to contribute to a consistent and co-ordinated approach with regard to flood risk management. A Local Flood Risk Management Strategy was prepared and adopted in 2012. The LLFA has prepared a Sustainable Drainage Systems Design Guide which was published in 2016. The LLFA also advise on surface water flooding issues and provide important data on matters such as critical drainage.

ECC is the Highway Authority for the District, as part of the two tier authority system. RDC works closely with ECC to ensure that the local transport system, including sustainable travel, is subject to appropriate planning both from a plan-making perspective and an operational perspective. This arrangement exists through a variety of forums, including the Local Highways Panel and A127 Taskforce.

ECC is the Lead Education Authority for the District and will continue to work with and support Rochford on all related matters. ECC is responsible for assessing need and to commission any future school places to accommodate anticipated pupil growth within the RDC area, considering resource requirements. In order to effectively calculate projections for school place demand, ECC annually updates the 10 Year Plan / Commissioning School Places in Essex documents. ECC is also responsible for implementing sustainable transport plans to and from the schools.

ECC have also published a Developers' Guide to Infrastructure Contributions which sets out ECC's standards for the contributions made by development to County infrastructure, including education, flooding, libraries, transport and more. This document has recently been updated following a consultation to which RDC contributed.

(c) **Association of South Essex Local Authorities (ASELA)**

The Association of South Essex Local Authorities (ASELA) is a partnership of neighbouring councils that have come together to deliver growth and prosperity in the region. The local authority partners are Basildon, Brentwood, Castle Point, Rochford, Southend-on-Sea, Thurrock and Essex County Council.

In January 2018, the partnership agreed to work together and signed a Memorandum of Understanding⁵. ASELA has spent three years looking at how working together across existing local government boundaries will help deliver improved infrastructure and economic growth.

ASELA has a number of project areas, including in relation to planning. Since 2018, the local authority partners of ASELA have been working jointly on a South Essex Framework (formerly the “South Essex Plan”). This framework is expected to provide a non-statutory plan for how key priorities and cross-boundary issues (such as place-making, climate change, housing need, and economic growth) facing South Essex can be addressed in a co-ordinated and consistent way. The expectation is the Framework will inform, but not bind, Local Plans and in doing so, can provide an important collaborative mechanism to secure greater outcomes for South Essex than would be achievable through six individual Local Plans being prepared separately, as well as fulfilling aspects of the Duty to Co-operate. A joint officers’ working group has been met regularly since 2019 to drive forward work on the Framework, including preparing a draft version of the Framework due for consultation in late 2021, and commissioning key joint evidence, including a new South Essex Strategic Housing Market Assessment (SHMA), Strategic Infrastructure Position Statement (SIPS), Green and Blue Infrastructure Strategy, Grow-on Space Study and more. A formal project delivery board meets on an ad hoc basis to make key decisions relating to the Framework and evidence base.

ASELA is continuing a long history of co-operation in South Essex on planning matters, particularly around the commissioning of joint evidence base studies. All of the South Essex authorities strongly recognise the advantages of preparing joint evidence in addressing strategic matters effectively and consistently, working to avoid scenarios where different plans propose antithetical solutions to strategic matters. It is recognised that studies such as the South Essex SHMA 2016 and Economic Development Needs Assessment (EDNA) 2017 were commissioned effectively before the formal establishment of ASELA.

Beyond plan-making, ASELA is pioneering a number of other projects as set out in its published Growth and Recovery Prospectus⁶. These projects may have implications for plan-making, such as developing projects for the delivery of local full-fibre networks, the recently announced Thames Freeport and exploring the potential for a higher education facility in South Essex.

⁵ [the-association-of-south-essex-local-authorities-asela-memorandum-of-understanding \(southend.gov.uk\)](https://www.southend.gov.uk/the-association-of-south-essex-local-authorities-asela-memorandum-of-understanding)

⁶ [Growth and Recovery Prospectus | ASELA \(southessex.org.uk\)](https://www.southessex.org.uk/growth-and-recovery-prospectus)

(d) Opportunity South Essex (formerly South Essex Growth Partnership)

The Thames Gateway South Essex (or TGSE) Partnership was the former arrangement, since followed by the South Essex Growth Partnership, and is now known as Opportunity South Essex (OSE). OSE sits within the SELEP area and is a collaborative partnership between the public (Local Authorities) and private (businesses) sector.

OSE consists of the five South Essex Local Authorities; Basildon, Castle Point, Southend and Thurrock Borough Councils, and Rochford District Council, along with Essex County Council – all of which work together to assist the delivery of regeneration and planning in South Essex. The partnership of authorities holds meetings to discuss strategic issues in the South Essex sub-region. OSE, since 2015, has led regularly Economic Development Managers meetings which aim to promote the South Essex region and economy.

(e) Bilateral engagement

RDC also work with constructively with other bodies on a bilateral (or sometimes multilateral) basis to discuss and work towards resolving key strategic issues.

This includes meeting with relevant neighbouring authorities, both informally and formally, to discuss plan-making progress, and relevant strategic cross-boundary issues such as housing, roads and jobs, to identify and agree specific outcomes.

RDC has worked closely with Southend Borough Council in recognition of the strong geographical and economic ties between the two areas, and the similar stage of plan-making the two authorities are at. This has included formal collaboration in the preparation of a joint plan – the London Southend Airport and Environs Joint Area Action Plan (or JAAP) – to deliver new employment land in south east Essex and establish effective controls for this thriving regional airport. This collaboration has also included a programme of regular working meetings to discuss ongoing strategic issues, including housing need, economic growth, transport networks and London Southend Airport. Outcomes of this collaboration to date have included the commissioning of joint evidence, including a joint Housing and Economic Land Availability Assessment, Green Belt Study, and Landscape Character Sensitivity and Capacity Study, through which the authorities hope to ensure key strategic issues can be resolved in a complementary and effective way. The collaboration has also resulted in the convening of a joint Member working group which will continue to meet as plan-making progresses to discuss and consider solutions to key strategic issues. The two authorities plan to agree a Statement of Common Ground in Summer 2021 setting out the current collaborative position between the two authorities.

RDC also works closely with other local authorities, including fellow South Essex authorities and the neighbouring authorities of Chelmsford and Maldon Councils. Due to the markedly different stage of plan-making that many of these authorities are at, limited opportunities for formal joint planning or

evidence base arrangements have been identified to date, save for those described under the ASELA heading. Nevertheless, collaboration has to date consisted of ad hoc meetings to discuss ongoing strategic issues and formal representations to consultations. RDC has signed Statements of Common Ground with both Basildon (2019) and Castle Point Councils (2021) to support their emerging Local Plan examinations. This programme of collaboration will continue as plan-making progresses and opportunities for joint working will be reviewed.

RDC also works closely with other bodies, including Duty to Co-operate bodies and the promoters of nationally significant infrastructure projects such as Lower Thames Crossing and Bradwell B. This collaboration has to date consisted of ad hoc meetings and briefings to discuss ongoing strategic issues and making formal representations to consultation. This programme of collaboration will continue as plan-making progresses.

6 Consideration of Strategic Matters

6.1 There are a number of mechanisms for co-operating on strategic matters, including:

- Shared evidence base documents and studies;
- A common or shared policy on a particular issue;
- Aligned plans with a number of common policies on some issues; and
- Joint plans with common policies on all issues.

6.2 The five South Essex LPAs (Basildon, Castle Point, Rochford, Southend and Thurrock), and Essex County Council, have agreed and endorsed a Memorandum of Understanding (MoU) which identifies how the authorities' will work together on cross-boundary strategic planning issues and the key outputs this aims to deliver. The South Essex MoU was formally signed by RDC on 22 March 2017. This includes producing:

- a joint evidence base;
- a joint Strategic Planning Framework;
- a joint Cooperation Monitoring Report;
- a joint Statement of Cooperation; and
- further MoUs, as appropriate.

6.3 Cross-boundary strategic matters were initially agreed by the five South Essex LPAs and ECC are set out in the Statement of Common Ground which was presented to the Inspector conducting the Castle Point Borough Council draft New Local Plan examination in December 2016. These are as follows:

- Housing (including Gypsy and Travellers)

- Economic Growth and Employment
- Retail
- Green Belt
- Climate Change
- Green Infrastructure/Green Grid
- Transport and Access
- Health and Well Being
- Minerals and waste
- Communications Infrastructure

- 6.4 In his initial letter to Castle Point Borough Council dated 5 January 2017, the Inspector endorsed the process that the five South Essex authorities and ECC have taken to date, and are looking to move forward in the future. The Inspector advocates constructive engagement between the authorities, and recognises that this goes beyond the preparation of a joint evidence base. It also recommends effective strategic planning policies and a positive approach. Given the Duty hearing session held in December 2016 primarily focussed on housing matters, the Inspector suggests that a formal mechanism needs to be put in place to address any potential unmet housing need across South Essex.
- 6.5 These matters continue to be progressed, as described under the ASELA heading above. This includes a new Memorandum of Understanding⁷, including Brentwood Borough Council, which was agreed in January 2018.

Housing (including Gypsy and Travellers)

- 6.6 Rochford District forms part of the South Essex area and has strong links with its surrounding authorities in terms of housing markets. Although the Duty only came into effect in 2012, regularly meetings of planning officers have taken place since 2008, within the former TGSE Planning and Transport Board, to discuss the strategic planning issues, in conjunction with ECC (see **Appendix 1** for more detailed information on the meetings). This on-going engagement between the authorities has facilitated cross-boundary co-operation through the preparation of joint evidence base work to inform local plan making. Regular meetings are held by the Essex Planning Officers Association (EPOA), South Essex Joint Officers' Group and ASELA level to address strategic housing issues and all of the resultant issues that arise from the need to deliver new homes within the area. Key outcomes from this collaboration to date include the work on the South Essex Framework, initial exploratory work with Homes England, and working together to prepare joint strategic evidence including a new SHMA due for completion in 2021. The agreed structure for joint working and

⁷ [The Association of South Essex Local Authorities \(ASELA\) Memorandum of Understanding – Southend-on-Sea Borough Council](#)

engagement, as a result of these meetings, is set out in the South Essex Strategic Planning Memorandum of Understanding (MoU),

- 6.7 Collectively the South Essex authorities are working together to address housing need at the sub-regional level which may include exploring options for a mechanism to address any potential unmet housing need across South Essex. In addition RDC will continue its current approach to work with other authorities outside the South Essex HMA, through individual and group meeting, to discuss cross-boundary issues, including Chelmsford City Council and Maldon District Council in particular.
- 6.8 Co-operation between the South Essex authorities and ECC has resulted in comprehensive housing evidence being prepared across the area and a commitment to preparing new evidence. This includes the Strategic Housing Market Assessment (SHMA) and the Gypsy and Traveller Accommodation Assessment (GTAA) (see **Appendix 1** for further information on each of the documents).
- 6.9 ECC is responsible for Adult Social Care and within this function ECC has jointly developed the Independent Living Position Statement⁸ in conjunction with the Essex Councils Housing teams for Older People and for Adults with Disabilities. The purpose of the strategy is to identify and invest in future need to create attractive, self-contained housing with 24/7 care for those with needs of over six hours a week of care. This information has helped inform the SHMA.
- 6.10 RDC also regularly attends meetings of the Essex Planning Officers Association (EPOA) where housing issues across the county are discussed. The EPOA group have – over a number of years – commissioned Gypsy and Traveller assessment across the county. The first Gypsy and Traveller Accommodation Assessment (GTAA) was undertaken in 2006 and there have been a number of iterations since. A South Essex GTAA update was also prepared in 2019, whilst EPOA is leading on ongoing work to explore the potential for one or more transit sites in Essex. RDC is also an active member of the Essex Countywide Gypsy and Traveller Unit.

Economic Growth and Employment

- 6.11 Rochford, due to its small economy, experiences high levels of out-commuting to neighbouring areas. However as part of the planned approach to deliver new local job opportunities in proximity to London Southend Airport, RDC worked in partnership with Southend Borough Council over a number of years to deliver a joint plan for a new high-quality business park and appropriate controls for the airport, as it grows. The London Southend Airport and Environs Joint Area Action Plan (or JAAP), which was adopted in 2014, outlines plans for an additional 99,000sq.m of employment floorspace on a new business park following the successful expansion of London Southend Airport.
- 6.12 Opportunity South Essex (OSE) is a public/private partnership between the five South Essex LPAs, including RDC, and ECC, and business representatives focusing on supporting and lobbying for improvements to support growth of South Essex

⁸ www.essex.gov.uk/Business-Partners/Partners/Adult-Social-Care-providers/Documents/Independent-Living-Programme-Position-Statement.pdf

economy. The South Essex Growth Strategy 2016 seeks to support and promote the diversity and growth of the South Essex economy. RDC is an active part of OSE through the EDM meetings which take place on a regular basis and through the OSE board. This group has overseen SELEP bids for funding (and has been successful in securing monies to support the development of the new business park, and improvements at the Fairglen Interchange on the A127).

- 6.13 Economic growth and employment is a strategic issue forms part of discussions at the South Essex Joint Officers Group and ASELA key output from these groups has been the commissioning of strategic evidence to support spatial planning across the sub-region, including an Economic Development Needs Assessment (EDNA), Grow-on Space Study and Economic Land Availability Assessment (ELAA). This will help inform the preparation of the emerging South Essex Framework, as well as individual Local Plans.

Town Centres and Retail

- 6.14 Rochford District currently has poor expenditure retention with significant comparison expenditure leaking to out-of-District centres, especially Southend. The primary retail centre in the District is Rayleigh in which expenditure retention levels are at the highest found in the District, followed by Rochford and Hockley town centres.
- 6.15 As part of discussions at the South Essex Joint Officers' Group level around town centres and retail, work on a South Essex Retail Study (SERS) was commissioned to assess the retail needs of the South Essex region and identify a strategy going forward. This will help inform the preparation of the emerging South Essex Framework, as well as individual Local Plans.

Green Belt

- 6.16 The Metropolitan Green Belt extends eastwards from London across the five local authority areas of Thurrock, Basildon, Castle Point, Southend and Rochford, and was formally designated in the 1982 Essex Structure Plan. South Essex subsequently has an extensive history of applying Green Belt policies. The fundamental objective of the Green Belt is to ensure that land remains open to prevent urban sprawl. Across South Essex the Green Belt continues to perform an important strategic role in containing urban development, limiting development which would undermine the openness of the Green Belt, and preventing coalescence between settlements both within and between local authority areas, whilst assisting in the delivery of sustainable patterns of development.
- 6.17 There are a number of strategic issues when it comes to the Green Belt in order to preserve its five purposes effectively. The Green Belt forms an important separation between the settlements both within the District – and in neighbouring areas. The retention of this strategic Green Belt is of key importance to prevent coalescence of the towns and villages. The Green Belt is recognised as a strategic issues and collaboration at the South Essex and bilateral levels have considered Green Belt issues. This includes the joint commissioning of a Green Belt Study with neighbouring Southend-on-Sea Borough Council to which Rochford's Green Belt is strongly connected. This Study and ongoing collaboration will help inform the preparation of the emerging South Essex Framework, as well as individual Local Plans.

Climate Change and Environment

- 6.18 Joint working has taken place with the non-prescribed body – RSPB on the management and progress of Wallasea Island Nature Reserve.
- 6.19 The Marine Management Organisation (MMO) is the marine planning authority for England and is therefore responsible for marine plans. The marine plan related to the Rochford District is the South East Inshore Plan which was adopted in 2021. Initial collaboration has taken place with the MMO as the Inshore Plan was being prepared. Further collaboration is planned now that the Plan has been adopted and more certainty is available surrounding its contents, strategy and policy approach.
- 6.20 Rochford District plays an active part in Shoreline Management Plan meetings for the Essex and Suffolk area, by attending annual meetings with other authorities in the Essex and Suffolk region. Having a significant shoreline area along the northern and eastern boundaries of the Rochford District, many of the issues will apply to RDC, including, but not limited to; flood defences, waste, coastal erosion, flood warning systems and habitats.
- 6.21 ECC, as the LLFA, is responsible for groundwater flooding, surface water (rainfall) runoff and ordinary watercourses (streams and ditches). ECC seeks to prioritise the use of sustainable drainage systems (SUDS) for all new developments. ECC is consulted on every SUDS application received in the Rochford District, to assist with the accurate determination of each application in accordance with the LLFA's position.
- 6.22 As part of the new Local Plan joint evidence base, the following documents have been produced, or are to be produced:
- **Environmental Capacity Study** – RDC presented its Environmental Capacity Study 2015 to neighbouring Local Authorities, ECC and key stakeholders. The purpose of the study is to identify the capacity of the environment in the District to cope with further development, taking into consideration the environmental constraints in the locality such as flood risk, areas of important biodiversity.
 - **Strategic Flood Risk Assessment (SFRA)** – A Level 1 SFRA has been prepared with other South Essex local authorities was completed in 2018 with input from the Environment Agency, and Essex County Council. This review was triggered by the release of updated climate change allowances by the Environment Agency in 2016, and once completed will supersede the previous study.
 - **Water Cycle Study** – The most recently completed Water Cycle Study 2011 was put together by URS Scott Wilson Ltd for the use of Basildon, Castle Point and Rochford Councils, with ECC. Joint working for this project was vital due to the unrestricted nature of a water course.
 - **Surface Water Management Plan** – Completed in 2012, the Surface Water Management Plan has been composed by URS Scott Wilson Ltd for use by Basildon Borough, Rochford District, Castle Point Borough and ECC, with some input into assessments by Anglian Water and the Environment Agency. The document produced models such as the surface water hydraulic model to identify mechanisms of surface water flooding and enable an intermediate level

risk assessment of surface water flood risk in the study area. The models have all been recently updated to accommodate updated climate change data.

- 6.23 Since 2018, the Council has worked with 11 other Essex coastal authorities on the preparation of the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS), under the direction of Natural England. The RAMS was prepared in response to concerns raised by Natural England through plan-making surrounding the impact of population growth triggered by new housing on the integrity of coastal habitats sites, surrounding the particular issue of recreational disturbance (e.g. walkers, pets etc.). The RAMS was completed under the direction of a project group to which RDC was party and has been endorsed by Natural England. A consistent Supplementary Planning Document (SPD) was adopted by each authority in 2020 which sets out the practical implications of the RAMS for planning decision making, including a potential tariff of new housing. The Council continues to be an active partner in the RAMS partnership board, which is currently managed by Chelmsford City Council as accountable body. The Council will continue to collaborate with Natural England and the other authorities on the RAMS project and will participate in any review as is required.

Green Infrastructure/Green Grid

- 6.24 The Green Grid Strategy 2005 considers Rochford and Southend together into a Strategic Area Framework and amongst other things highlights the following as one of the key strategic issues between the two local authority areas. The area north of the A127/A1159/A13 (east) is predominantly rural with these roads creating a physical barrier between the rural and urban areas. Co-operative work will be needed in order to resolve the need for improvement to north/south links that promote safe and accessible alternatives to the car.
- 6.25 The South Essex local authorities collectively commissioned a South Essex Green and Blue Infrastructure Strategy which was completed in 2020. The Strategy performs a strategic review of green and blue infrastructure across South Essex and identifies a range of projects and interventions (including for Local Plans) to help deliver a more connected green and blue infrastructure network across South Essex. This project is being labelled the South Essex Estuary Park project (SEE Park). RDC continues to engage collaboratively with other South Essex local authorities on this project as it moves into an implementation phase.
- 6.26 RDC has also worked with other South Essex local authorities on preparing Playing Pitch Strategies (PPS) and Built Facility Strategies (BFS). These studies performed both a qualitative and quantitative assessment of sports provision across South Essex (including individual authority areas) and considered how future demand could be best met both in local authority areas and across South Essex as a whole. This project also included extensive collaboration with Sport England and sporting national governing bodies (NGBs), such as the Essex FA. The project has led to further evidence being prepared, including a joint 3G pitch feasibility study with Basildon Borough Council with input from Sport England and NGBs. RDC is an active partner on the Playing Pitch Implementation Group which meets twice yearly and includes Sport England, NGBs and Active Essex.

Transport and Access

- 6.27 RDC is currently preparing a transport evidence base for its new Local Plan, with support from Essex County Council. This transport evidence base includes collaborative work with Southend Borough Council to ensure the areas where each authority's transport network relate can be addressed effectively and consistently.
- 6.28 The three highways authorities in South Essex are Essex County Council, Southend Borough Council and Thurrock Borough Council – the latter two being unitary authorities. ECC is the lead highways authority in the Rochford District, under the two-tier authority system. Joint working, with ECC as lead, between Rochford District and its neighbouring Local Authorities, and in co-operation with Southend and Thurrock Borough Councils as Unitary Authorities, is key to the development of effective highways and strategic routes in the new Local Plan.
- 6.29 High level collaborative work has been undertaken on the issue of transport and connectivity across South Essex, including initial work on developing a South Essex transport model and a Connectivity Study. This collaborative work can inform the new Local Plan as it emerges.
- 6.30 ECC has recently published a new Essex County Council Developers' Guide to Infrastructure Contributions (2021) following a period of consultation. This document is concerned with the cumulative impact of development, as such, it is expected that developers work with ECC to design infrastructure to complement and sustain the integrity of the highway network and to support sustainable mode priority.
- 6.31 Rochford District has taken a direct approach when consulting over rail matters. Strategic planning considerations are considered best discussed directly with other bodies involved in strategic transport planning. For example, rather than engage with the Office of the Rail Regulator, National Rail have been directly contacted to determine options for the future and resolve issues with rail services and other matters on national rail land, such as with the many out-dated rail bridges in the District. Rail is a strategic cross boundary issue on private land, which results in the obvious need of cooperative work to enable to rail to function effectively and efficiently. The Essex Transport Strategy: the Local Transport Plan for Essex 2011⁹ reinforces the claim that cooperative work is necessary by setting out its strategic transport priorities, in which one of these aims is an enhanced local role in the rail franchise to support an effective service and cut journey times. RDC has also taken into account Network Rail's Great Eastern Mainline Study¹⁰ when progressing its new Local Plan.
- 6.32 Monitoring the surface access to London Southend Airport – As part of the conditions of granting planning approval for the extension of London Southend Airport's runway in 2010, an Airport Surface Access Strategy (ASAS) has been developed following detailed consultation with ECC, RDC and SBC and the Airport Transport Forum to provide a strategy which focuses on improving public transport and finding ways to encourage passengers, new and existing staff to use sustainable modes for their journeys to and from the airport. The ASAS is under periodic review to ensure it remains up to date and innovative. To ensure of this, RDC is an active member of the Airport Transport Liaison Group.

⁹ www.rochford.gov.uk/sites/default/files/documents/files/planning_transportplan_JAAP13.pdf

¹⁰ [Great Eastern Mainline Study 2019 \(networkrail.co.uk\)](http://Great%20Eastern%20Mainline%20Study%202019%20(networkrail.co.uk))

- 6.33 Proposed NCN135 (Southend to Stock) cycle route draft strategy has been worked jointly between Southend Borough, Essex County and RDCs. Ringway Jacobs (ECC partner) also reviewed the Rochford and Wallasea cycling Strategies and proposed routes. JAAP area cycling feasibility study meetings have been held between Rochford District, Essex County and Southend Borough Councils to determine the opportunities and explore the options to enhance cycle access to and around the JAAP area. This collaboration is continuing to consider how local cycle routes can be best addressed. RDC participated in the development of the Cycling Action Plan¹¹ for its area and has held discussions with ECC around developing its cycling proposals further through a Local Cycling and Walking Infrastructure Plan (LCWIP)
- 6.34 An Essex Local Transport Plan was prepared in 2011 by ECC as the Highway authority for most of the County including Rochford District. The document sets out the travel improvements plan covering a 15 year period to ensure we have the most efficient use of our transport network. The plan also states that the County Council will work jointly with District and borough authorities to develop effective and deliverable Air Quality Action Plans where air quality is poor as a result of transport-related sources of pollution¹². Meetings with ECC to further develop their Local Transport Plan have included involvement in the A127 Corridor for Growth refresh study for the short and long term options for the strategic route.
- 6.35 The A127 Corridor for Growth was prepared jointly by Essex County and Southend Borough Council as the highways authorities responsible for the A127. The capacity of the A127 directly impacts on the Rochford District and forms a key strategic route for Rayleigh and to the JAAP area, via Nestuda Way. Issues with the A127 can have an impact on the local road network in Rochford District and other neighbouring areas. Therefore the efficiency of the A127 route is of key concern and interest to Rochford. This strategy is being updated.
- 6.36 The A127 corridor is also a vital artery to economic competitiveness of the South Essex sub-region, which includes the Rochford District. Therefore the efficiency of the A127 from an economic development perspective is crucial, and it is vital the route is well maintained as a regularly congested or cumbersome strategic transport network can have disastrous consequences on the economic development of the region. The Council has engaged with the other South Essex authorities as part of the Duty to Co-operate on the issue of the strategic road network, particularly the A127. The Council has also co-operated with authorities further afield with a common interest in the A127, including Brentwood Borough and the London Borough of Havering. In October 2017 this culminated in eight authorities signing a Statement of Common Ground with the London Borough of Havering, specifically on this issue¹³.

¹¹ https://www.essexhighways.org/uploads/files/getting_around/cycling/rochford-district-cycling-action-plan.pdf#:~:text=Cycling Action Plan Rochford District 8 Local Cycling,and walking improvements required at the local level.

¹² www.essex.gov.uk/Environment%20Planning/Planning/Minerals-Waste-Planning-Team/Planning-Policy/Documents/WPA%203%20-%20Essex Transport Strategy June 2011.pdf

¹³ www.rochford.gov.uk/new-local-plan-evidence-base

- 6.37 An A127 Taskforce consisting of local MPs, council leaders and officers and other key partners was established in 2018 to develop a long-term vision for transport along the A127 corridor. It set five core objectives:
- Economic Growth: Support and facilitate sustainable economic growth along the corridor. Recognising the role that the A127 corridor plays in the South Essex economy
 - Connectivity: Manage congestion and improve journey time reliability
 - Environment: Improve air quality, reduce pollution and manage the impacts on surrounding communities
 - Safety and Resilience: Improve safety and network resilience
 - Asset Management: Effective management and maintenance of all transport assets, e.g. roads and pavements, structures, signs and safety barrier
- 6.38 The group has played an important role in highlighting the importance of the A127 in enabling economic growth across South Essex, as well as exploring current and future issues across the route and discussing dozens of potential improvement options. However, it is clear the local highways authorities will never be able to fund schemes of the huge scale required. The Task Force is therefore making the case for the A127 to be re-adopted as a trunk road. RDC continues to collaborate with the A127 taskforce. Agendas and minutes of the Task Force are available on ECC's website.
- 6.39 Various improvements are planned at the A127/A130 Fairglen Interchange which is a strategic junction to the southwest of the District. These include a new 'Southend link road' linking the A130 southbound to a new signalised junction on the A1245, a segregated left-turn lane from the A1245 southbound to the A127 eastbound, slip road improvements and a new bridge for pedestrians and cyclists. Works are currently scheduled to start in 2021/22 and RDC continues to collaborate with ECC on these works.
- 6.40 Parking Standards Design and Good Practice Supplementary Planning Document was produced by ECC in 2009 in partnership with the EPOA. This document was consulted on and is used within Rochford District as a Supplementary Planning Document to provide guidance to developers. A review of the document was commenced in 2021 and RDC will actively collaborate with other EPOA partners on this review.

Health and Well Being

- 6.41 Within the creation of the current local development plan, RDC worked jointly with NHS England to identify the healthcare needs for the District. Cooperation occurred in that the Clinical Commissioning Group (CCG) was and will continue to be consulted on the new Local Plan and any large planning applications including those allocations made on the allocations plan to ensure that all contributions made from S106 agreements are sufficient to offset any impact on healthcare from the development of new homes.

- 6.42 In 2019, the South Essex local authorities jointly prepared a Strategic Infrastructure Position Statement¹⁴ (SIPS) to set a baseline for infrastructure provision and capacity across South Essex. A consistent assessment of infrastructure, including health and social infrastructure, is considered useful given most health infrastructure has cross-boundary catchment.
- 6.43 Castle Point and Rochford have a joint Health and Wellbeing Board. It is made up of councillors and officers from Castle Point Borough Council and Rochford District Council, as well as people from:
- Castle Point and Rochford Clinical Commissioning Group
 - Essex County Council
 - Community health services
 - Child and family services
 - Community and voluntary sector
- 6.44 The board supports the Essex Health and Wellbeing Strategy 2018-2022 which seeks to address the local health and wellbeing challenges identified in Joint Strategic Needs Assessments.
- 6.45 The Council participates in a range of local health partnerships at different levels. This participation will influence the new Local Plan through active engagement of key partners at key stages.
- 6.46 More locally, an Air Quality Management Area has been designated in Rayleigh Town Centre in 2015. An Air Quality Action Plan is due to be adopted, which sets out how the Council will work with its partners to improve air quality within the town.

Minerals and Waste

- 6.47 ECC is the minerals and waste planning authority across the two tier area; Thurrock and Southend Borough Councils – as unitary authorities – are responsible for this planning function. A Replacement Minerals Local Plan (MLP) was prepared by ECC, which forms part of the local development plan for RDC. The MLP was adopted on 8 July 2014. This Plan provides planning policies for minerals development up to 2029 and identifies the locations of future minerals development in the county. It seeks to reduce the demand for primary mineral use, encourage more recycling of aggregate and safeguarding mineral resources, reserves and important facilities. A review of the MLP was launched in 2020. The Council will work closely with ECC to ensure the new Local Plan aligns with the MLP and its review.

A Replacement Waste Local Plan (WLP) has also been prepared to replace the 2001 Essex Waste Local Plan. The WLP aims to set out the vision and policies for

¹⁴ https://ca1-jsp.edcdn.com/downloads/Part-1A-report_issue_numbered-FINAL-version.pdf?mtime=20201223130123&focal=none

managing waste development in the county in the future. The draft WLP identifies a number of sites for waste treatment, recycling and disposal, as well as areas of search for future management facilities. One inert landfill site included for waste disposal by falls within Rochford District. The WLP was adopted in 2017. The Council will work closely with ECC to ensure the new Local Plan aligns with the WLP.

Communications Infrastructure

- 6.48 As part of the Association of South Essex Local Authorities (ASELA), the Council has been successful in securing a share of £6.9m central Government funding to deploy a Local Full Fibre Network (LFFN) network to deploy gigabit-capability fibre broadband to the District's main towns and subsequently to villages and rural areas. This network is initially focussing on key spines around public sector sites but may expand to include more areas.
- 6.49 Superfast Essex is part of the Superfast Britain Programme coordinated by Essex County Council. The programme is funded and delivered by Broadband Delivery UK (BDUK), BT, Gigaclear, ECC and some Local Authorities. The programme is looking to upgrade and deliver new Fibre Optic broadband cable capacity to those areas identified as lacking.

7 Engagement with Key Infrastructure Providers

- 7.1 The Council plans to prepare an Infrastructure Delivery Plan to inform the next stage of its new Local Plan. At this time, the options available to the Council are considered too broad to precisely assess infrastructure requirements.
- 7.2 The Council will engage with key infrastructure and utility providers through the Spatial Options consultation and future consultation stages to ensure that strategies and investment plans can be effectively aligned, and that the strategy of the new Local Plan takes appropriate account of existing infrastructure capacity.

8 Summary

- 8.1 The Council considers it has positively fulfilled its responsibilities through Duty to Co-operate legislation, to date, as demonstrated by the information outlined within this topic paper and will continue to do so in the future. The Council has worked jointly with neighbouring authorities, ECC and prescribed bodies throughout the early stages of the new Local Plan in a comprehensive and strategic fashion and on an ongoing basis to maximise the effectiveness of plan-making. To ensure that cooperation continues throughout the plan period, working arrangements have been, and will continue to be, determined between the relevant parties.
- 8.2 Formal representations are made by the Council in response to consultations launched by prescribed bodies to ensure that the Council's formal position on strategic matters is understood. These representations are online as a matter of public record.
- 8.3 Statements of Common Ground and Memorandums of Understanding will be signed between the Council and prescribed bodies as required.

- 8.4 The Council has invited all Duty to Co-operate bodies to have a briefing meeting during the Spatial Options consultation. These meetings and appropriate actions will be minuted as record of the Duty to Co-operate.
- 8.5 This Topic Paper is a summary and does not include an account of all collaboration undertaken by the Council in preparing its new Local Plan. This is particularly true of the significant amount of collaboration that takes place outside of formally convened meetings.

9 Next Steps

- 9.1 The new Local Plan will guide development and growth in Rochford District's administrative area for the period up to 2040. It will provide the Council's vision, objectives and spatial strategy.
- 9.2 Throughout the process of creating the new local plan, up to and beyond adoption, cooperation and joint working with neighbouring authorities, ECC and other prescribed bodies will need to continue in the same constructive, active and on-going manner. In order to achieve this, future topic papers shall be written to keep monitoring the effective cooperation between all bodies.
- 9.3 RDC has a good history of working with other bodies to address cross-boundary matters. The Duty to Co-operate is not a duty to agree, however, the Council will continue to make every effort to ensure that cross-boundary strategic planning matters are properly addressed.
- 9.4 Prior to the adoption of the new Local Plan, a Duty to Co-operate Statement will be published stating all the ways in which the Council has co-operated with other bodies to address each strategic matter, and methods used, timescales and key outputs.
- 9.5 It is recognised that much of the collaboration described in this Topic Paper relates to ongoing partnerships or complex strategic matters. As such, whilst meetings held on these issues may agree actions, such partnerships and collaborations may need to persist in perpetuity to address strategic issues as they emerge and evolve. At this relatively early stage of plan-making, it is recognised that many strategic issues cannot be fully understood nor addressed in their entirety as this stage, given decisions relating to the strategy of the Plan have not yet been made. The Council is therefore committed to the Duty to Co-operate being an active and ongoing activity leading up to the new Local Plan's adoption.
- 9.6 Formal records, such as a record of formal meetings held with prescribed bodies, have not been included within this Topic Paper but will be included in a formal compliance statement in due course.