

Status: Final

Meeting Notes of Duty to Cooperate Meeting

Slough Borough Council, South Bucks and Chiltern District Councils and RBWM

Moor Hall Cookham – 17 October 2017

Attendees –

Keith Holland – Facilitator (KH)

Paul Stimpson – Slough Borough Council (PSt , SBC)

Pippa Hopkins – Slough Borough Council (PH, SBC)

Graham Winwright - South Bucks/Chiltern Borough Council (GW, SBCDC)

Alison Bailey – South Bucks/Chiltern Borough Council (AB, SBCDC)

Jenifer Jackson – Royal Borough of Windsor & Maidenhead (JJ, RBWM)

Helen Murch – Royal Borough of Windsor & Maidenhead (HM, RBWM)

Ian Church – Royal Borough of Windsor & Maidenhead (IC, RBWM)

Phillipa Silcock – Royal Borough of Windsor & Maidenhead (PS, RBWM)

Hilary Oliver – Royal Borough of Windsor & Maidenhead

Introduction & Format of Meeting

Introductions were made and it was agreed that the meeting would be recorded as a formal duty to cooperate meeting. Both notes of the meeting and the subsequent report from Keith Holland would be shared between all participants and would form part of the record of Duty to Cooperate (DtC) discussions. The role of the facilitator was to direct the meeting and facilitate discussion towards the goal of creating a statement of common ground.

KH outlined his understanding of the purpose of the meeting; to work towards a statement of common ground, setting out the issues of agreement and in regard to matters where the councils were still not in agreement, to work towards a better understanding of how these could be resolved. KH gave the opinion that Councils should strive to achieve these goals as although there had been considerable discussion over a period of years, the areas of disagreement appeared to pose a significant risk that all local plans coming forward will run into difficulty if we cannot progress further.

Everyone should be aware of the St Albans decision. This has increased the expectation by Inspectors that DtC will look to agreement. Notes on meeting and discussions that had taken place would not suffice to satisfy the inspectors and evidence of cooperation was required. This has effectively raised the bar and reflects a clear direction of travel in regard to DCLG's approach to cooperation over planning issues across administrative boundaries. It was noted that Government had recently drafted a paper to change "Duty to Co-operate" to "Duty to Agree" and although this has not been actioned it was expected that local authorities would move towards this.

Inspectors will be making satisfaction of the duty to cooperate the first thing they will look at and will stop the examination at that point if they consider that the DtC has not been met.

If LAs object to each others plan, this is a clear signal that things are amiss. Inspectors are likely to treat objections from developers regarding a failure of DtC with more cynicism as these are generally a fairly clear pursuit of commercial goals. Objections from neighbouring authorities are another thing.

It should also be noted that a failure of DtC reflects a failure on all sides and will set at risk the local plans of each of the parties involved.

KH also drew participants' attention to the need to "plan positively" – especially for housing. The evidence of this is the second thing that inspectors will give their attention to.

Where there is scope for compromise this should be explored as, on the basis of the position statements, it is clear that compromise will be necessary.

Expectations for Meeting

HM for RBWM:

Would like to be able to work with SBC and SBCDC on a close partnership basis particularly looking at unmet housing need in the "sub-region" (call it this if it avoids the complications around HMAs). To put together a Statement of Common Ground in relation to RBWM plan submission in January 2018 and agree a time table for this in order that it could be signed by all authorities' Members. This should be a live document that will be effective for all of the authorities' local plans.

Acknowledged that SBC and SBCDC have confirmed that a positive relationship moving forward would be the right thing, but RBWM is understandably concerned that the differences between the authorities have resulted in objections to the current plan submission. RBWM hoped that these differences would be explored during the course of the meeting.

PSt queried whether changes could be made to the submission plan once it had been through Reg 19. Was there scope for further discussion to lead to modification of the plan? What could be achieved prior to submission and as a modification submitted to the Inspector after submission? Discussion raised the potential for agreement to early reviews as a means of implementing change but also a view that other modifications should be explored as a more immediate response.

KH advised that while big changes of direction could not be made such that would fundamentally change the plan, some changes could be put forward by the LA to the Inspector. Some such changes may require early further advertisement and consultation, some may not. More usually a schedule of changes where the LA may be seen to be responding to the submissions on the plan can be put to the inspector who will then have the option of including these in his/her schedule of modifications, which will subsequently be the subject of consultation in the normal way. This pragmatic response is increasingly being used by Inspectors and is in line with Government's wish to avoid plans being delayed by serial rounds of consultation. If it was found RBWM could offer changes to meet SB/SBCDC

concerns, e.g. additional sites to meet unmet need or changes re affordable housing this can and should be explored. Residents could make comments as part of the Inspectors' major modification stage.

In response to GW's question, KH confirmed that changes are possible so long as these did not go to the "heart of the plan".

HM: confirmed that minor modifications are being considered to respond to representations received. Welcomed the opportunity to suggest further modifications that go to meeting the needs of neighbouring authorities.

PSt for SBC:

SBC has tried to be a "critical friend" to RBWM and applauded the work that RBWM had done in increasing the housing numbers in the plan but felt that SBC's concern on affordable housing for rent issue had not been addressed. Shocked that in the published plan there had been no evidence that SBC's concerns have resulted in amendment of the policies. The affordable housing policies still contained no encouragement for the provision of affordable housing for rent. This was a serious cross boarder issue about social change. It will have a significant effect on the demographic makeup of Slough as increasingly people looking for affordable rental accommodation were forced into going to Slough. What was needed was a rewrite of the housing chapter in this regard.

While SBC has not got certain numbers, it is acknowledged that it will have an unmet housing need of between 5000 – 10,000. In strategic terms this should be provided for in areas closest to where the need arises in order to safeguard against people having to move out of the area, breaking up families, travel to work etc. Two sites in RBWM had been identified as opportunities for a southern expansion to Slough. One of these was now allocated by RBWM, the other (Austen Way) was not. While not convinced by the justification for not taking this site forward (not being promoted by a willing seller) this was not the main concern for SBC. Similarly the concerns regarding the deliverability of some of the allocated housing and the stepped trajectory for delivery. Biggest challenge regarding RBWM was the dogmatic refusal to change policies in regard to affordable housing for rent.

Reassured by KH advice that there was potential opportunity for modification of the RBWM local plan this stage.

But the need for someone to take the unmet housing need does need to be discussed in terms of the release of green belt in South Buckinghamshire to provide a "northern expansion".

Another issue is the amount of footloose B8 space required. Should Slough meet this or is it a sub-regional issue?

GW for SBCDC:

Considered it was the worst position to be in to have to object to a neighbouring LA's plan, but consider that they have been trying for years to get a collective agreement not just with the LAs in the room but with all the Berkshire authorities.

Believe that what needs to be done to overcome their objections would in fact go to the heart of the plan. That RBWM/SBC would need to join with the other Berkshire authorities to review the HMA geography and best fit conclusions. The SBCDC position is that a wider HMA should be used that included all the Berkshire authorities. This was why they had asked for all the Berkshire authorities to attend the DtC meeting. SBCDC open to trying to resolve this but objection to RBWM plan would stand as this issue went to the heart of plan-making in the wider area and is unlikely to be resolved before submission.

Confirmed that the SBCDC plan would not be submitted before the deadline for the transitional arrangements. However Aylesbury Vale who have agreed through a MoU to take SBDC's unmet need would be submitting their plan for inspection before the end of March.

Discussions/Issues

PSt: SBC is working on new plan and promoting intense development in the town centre in order to accommodate as much of the need as they can. They are releasing what little green belt sites they have but need these to provide for the family housing that they need for the larger families reflecting the demography of the Borough. Progress on the plan has been caught by the proposals for the additional runway at Heathrow which mean that much of the land in Colnebrook will be required. They are therefore having to hold off on their plan until after the Heathrow DCO is decided not least because they don't want their plan inspection hi-jacked by those opposed to the principle of the airport expansion.

It is hoped that this timescale (2 years) may ideally fit in with SBCDC's plan programme and it may be possible to have a joined examination through which the northern expansion could be considered by the Inspector, albeit possibly not as a part of the SBCDC current plan.

The Government's new proposed methodology for calculating housing need reduces the assessed need in Slough. Slough's plan is that 80-90% of new homes will come forward through the intensive development of the town centre sites in the first five years. The green belt sites will deliver family housing and then they will then run out of space having only limited ability to provide family housing. SBC believes that the unmet need should be provided close to where the need arises and therefore see the "northern extension" into SBCBC to be the most suitable allocation and green belt release in that area must happen.

GW: SBCDC's unmet need will be met in the Vale of Aylesbury Local Plan, and have a memorandum of understanding to this effect. Aylesbury's housing numbers have increased in the new housing targets but they are to submit prior to the deadline so this should not be a consideration until they have to review their plan.

KH - The views so far seem very parochial. If you were thinking about a sub-regional approach what would a sub-regional plan look like?

If you have to accommodate housing where would it go taking into account of sustainability and transport? The need to accommodate housing growth would be the driver. The green belt would not be the determining factor.

The Luton and Bedfordshire example is interesting. Discussion took place on whether the growth study should include SB/SBCBC/RBWM or more authorities.

GW: SBCDC had been promoting this idea and would agree to look at a study but based on all the Berkshire authorities and do not believe that the FHMA evidence points to two Berkshire HMA The two FEMA option with the eastern HMA comprising SBC /RBWM does not do those authorities any favours.

KH: But SBCDC argument is that South Bucks is not in a Berkshire HMA, but is in Bucks.

GW: First stage has to be to define the functional HMAs. This has not been carried out in Berks as the HMA geography only considers best fit and even then does not use local plan best fit. Believe that the FHMA evidence points to a single Berkshire HMA due to the overlap between East and West. South Bucks position is that their best fit is in an HMA with the other Bucks authorities. They believe that Slough is fixed on the northern expansion as the solution to meeting their unmet needs and will not properly consider options for meeting their unmet need in a wider functional HMA.

HM: RBWM understood the point on growing the HMA and in terms of “proper planning”. A wider growth study would be good start. But proper planning could also be considered to include not just Berks but London as well. GL Hearn’s advice is that there is good evidence to support the two HMA scenario and LAs can/should look at the capacity of the existing HMA to accommodate unmet need before going to adjoining HMA areas to see how they could help, not sure how this moves us ahead.

GW: G L Hearn in fact recommended a single Berks HMA in their draft report but a meeting of the Berkshire Chief Executives decided they wanted two HMAs and the final G L Hearn report was amended to accommodate this. However in considering the evidence in the report the two HMA conclusion is not supported.

HM: But GL Hearn subsequently produced a report which set out the evidence for a two HMA geography and are happy to explain this position in any examination.

KH – as not getting regional planning any time soon there may be advantages to a growth study across several authorities.

PSt: All agreed a growth study would help, but that the housing market area needed to be agreed and would work towards working on this with a wider group. There is possibility of better sub-regional working including a joint strategic framework as part of the Heathrow work. There are difficulties with this as Hillingdon and unfortunately RBWM are not taking part. E.g. 18 new hotels will be needed to meet demands of the expanded airport. Slough is working to ensure that four of them are located in Slough town centre.

HM: This would indicate that we are still working in silos and need to support working together although this might be ambitious.

PSt: A joint local plan for East Berkshire is no basis for moving forward.

KH: Do you want a bigger market area?

GW: if there is a bigger market area it will be more able to meet the need with more options to test.

JJ: There is a need to apply the “so what test” to the argument. Whether there is one or two HMAs in Berkshire, the housing need in RBWM or Slough for that matter is the same.

HM: We all three/four authorities need to show that no stone remains unturned within the East HMA. If the three authorities have looked at all options then you would come together and go to other HMA.

GW: Why hasn't this happened? The Duty to cooperate had failed so far in Berkshire.

PSt: Obvious trigger is Heathrow and HSPG are looking to strategic land use planning to give direction for allocating space for 70, 000 jobs. That will be a trigger for review of many new plans. Where are housing and employment land going, what is being done about the logistics? Airport expansion and construction will add to existing need. But RBWM are not participating.

AB: So are we able to agree that Heathrow that the Heathrow work will be the trigger for further work and a wider look at the opportunities?

PSt: HSPG is already working on a cooperative level. If we wait for two years down the line to work together, plans will go in and they are likely to be set back. We need a commitment to a wider planning.

KH: Seems Heathrow will be a major factor in influencing growth and consequently land use strategies between all four authorities. Is there some agreement that there is a need to think about the long term – encouraging members to take part in the wider strategic planning view particularly by actively participating in the strategic work of HSPG.

PS: Should we look at two scenarios short term and long term? Benefits if all get up to date plans (for RBWM this at least means that allocations would be in place to meet our current OAHN) and then look to a longer term strategy within a strong commitment to review plans in the context of a growth study. Consider Slough plans for northern expansion as part of a longer plan.

PSt: Green belt is still a factor as this acts as a major constraint on the capacity to accommodate the housing need from the area. Therefore undertaking a strategic green belt review based not on a bottom up approach (looking at the GB value of specific sites) but from the top (looking at the strategic needs of the area and where the most valuable land to achieve green belt objectives would lie) is necessary.

KH: From inspectors point of view it would be good to be able to say we see current local plan work as short term plan and will undertake review on a strategic basis regionally. Government will not impose regional planning.

PSt: Would be great to have the three authorities saying they will have a comprehensive plan and a memorandum of understanding in existence is for the next plan. But ongoing work on the northern expansion is needed now. Ideally we want this foreshadowed (at least) in SBCDC plan now. This is why we have commissioned consultants to do some preliminary master planning on this. SBCDC plan is due to be submitted end of next year and Slough will ask for the inspector to recommend an immediate review of plan to include northern expansion and work on a growth study for the wider area.

KH: Does that mean you would ask an Inspector to recommend growth study or growth study and inclusion of northern expansion so that Slough's plan can come forward need to show that all has been done to meet as much of needs as they can ?

GW: If we take our plan forward as it is without a northern extension, then would that be acceptable to Slough in the short term? SBCDC and SBC could come to an agreement on the approach of letting SBCDC plan go forward. Slough say they need to build close to Slough but they haven't produced evidence that they have looked at all of the other options to accommodate their unmet need. Options beyond the northern extension need to be tested.

PSt: We want to be able to make the case for the northern extension in the current plan. Don't expect this to be considered as part of the plan but in the context of an immediate partial review that will bring forward the northern extension. We don't want to wait for two years then have the argument about the principle. There is a logical preference to expanding north to meet need.

PH: We have been looking at options and have decided that we should pursue the northern extension not least because of infrastructure and transport issues.

GW: Understand Slough position but have they considered all other options?

PSt: Moving housing out will not solve affordability and meet the needs in the area. There is a strong link to the northern expansion and no strong link between Slough and West Berkshire. SBC tabled map showing function areas by ORS Housing market areas. Best fit administrative purposes only and should use functional areas.

GW: There is nonetheless a need to look at the wider area not just part of functional area. You should also look to the west. You need to produce evidence that you haven't just latched onto the northern expansion. This comes back to the definition of the HMA and the need to look first within the functional HMA and then jointly go to other areas.

KH: If you are going to look at growth study would have to be a functional area.

PSt: The Northern Expansion is the clear favourite option purely on principles of proximity and sustainability. The need is best met close to where it arises. Map and aerial image circulated to show the original ORS indicated plan of FMHAs and arbitrary nature of existing administrative boundaries vis a vis functional geography. The northern expansion alternative solves the problems of mix for Slough where we need to do more that intensify into flats in the town centre in order to meet the range of housing need.

GW: The old ORS plan shows the FMA to include the whole of Berkshire.

PSt: But South Bucks is shown as being in both the Berkshire FMA and Bucks. You have gone with Bucks because of the joint plan making, not the functional market geography.

GW: This is what best fit is about. If not what then is the purpose of guidance on best fit?

PSt: The Luton LP report discussed this – you don't go first to the best fit without having satisfied the need to demonstrate that the functional geography is appropriate.

GW: Agreed however if Slough also want to follow this approach then it will need to define the functional housing market area which the G L Hearn work does not but the Bucks ORS work does.

Break

KH: Emerging areas of Common Ground

1. Objectively assessed housing need:
 - SBCDC – using the figures from the ORS HEDNA developed for the Buckingham FEMA. This gives a slightly lower figure than the OAHN assessed by GL Hearn’s SHMA for East Berks and SB HMA. There is no dispute about the HEDNA figure being used by SBCDC.
2. Employment:
 - SBCBC – using ORS EDNA figures For Bucks. Slightly lower but not in dispute with SB/RBWM. Some of the unmet need will be taken by Aylesbury.
 - SBC - EDNA gives a huge figure that Slough does not consider feels right. The assessed requirement for B8 use is a particular problem and cannot be solved without wider planning – e.g. through HSPG work. Dependent on Heathrow – with changes to technology the need could go out as far as Basingstoke. Could be part of the growth study based on sector need and use as employment need i.e. labour supply and development supply. Labour is higher. Cannot meet need, but again would like to see land allocated for employment within the northern expansion. Doesn’t matter whose growth this is.

GW: Our evidence will show that we have considered the northern extension of Slough and this has been rejected on the basis of impact on the green belt.

PSt: The evidence of your GB review was flawed in its methodology. This should not have started with looking at individual sites – the first sieve on looking for sites with defensible boundaries. Therefore any field raised defensible boundary issues. Whereas if the review had started with acknowledging that comprehensive development was an option, then a different methodology and result would have occurred.

HM: This comes back to the need for a comprehensive wider based green belt review.

KH: Short term green belt studies are a bit daft. But, many LAs are guilty of using GB studies based on political approaches.

AB: Arup who did the study for us identified a few parcels that could be developed through the study. The methodology was consulted on before we began.

PH: But in the consultation meeting I did object to the methodology. But the objection didn’t result in any rethink.

AB: There was a strategic assessment element to Part 2 of the assessment. That zoomed out to enable analysis of a wider view. Broader strategic zones and where GB functions to stop sprawl of London.

HM: It would have been helpful if the study had been jointly commissioned so all of the LAs could have used it.

GW: We did jointly commission – it was with the Bucks authorities.

KH: That might be your best fit but was not the functional housing market area. What if SBCDC expanded into northern expansion area?

PSt: We would be quite happy if SBDC wanted to do this even to meet just their own need – it would have the effect of helping to balance housing market plus the SBC plan would deal with this.

GW: We have tested the northern expansion and evidence demonstrates that the northern expansion should be rejected.

IC: How did it fail?

GW: It failed on impact on green belt such as sprawl.

PSt: The sprawl assessment was due to the narrow basis of test - A bottom up approach looking at identifiable plots of land. It should be looked at strategically.

HM: A green belt review based on an agreed methodology should ideally be an integral part of the growth study.

PSt: Should not be on a field by field basis. If the need is there, the review should look at both a pepperpot approach and also a strategy for one major development area. There is no sense of the options available.

GW: The documents are on the web site. But we are continuing to look and test scoring with the aim to identify land that might be protected for development beyond the plan period. SBDC intend to publish maps of the areas and will address GB issues in their options paper.

PS: Meanwhile RBWM have a short term requirement and if the plan is adopted we will start a review. Need a short term fix to get through examination and then start work on a review.

HM: We accept that RBWM needs to address the issues that have been raised by South Bucks/Chiltern

PSt: A commitment to working together is required. Heathrow provides an opportunity for a sub-regional Heathrow Strategy. We are committed to growth even without a 3rd runway. RBWM really need to be involved with HSPG. – agreed by both SBC and SBCDC.

KH: The green belt strategic view should be for 40 years for Buckinghamshire. It needs a longer term horizon. Looking at local level at what can be released and get away with that is a short term approach.

PSt: A strategic level green belt review should have come first

KH – But for now, how do we repair it now and cooperate on a long term strategy.

GW: Consider this is too late with the time available.

HM: Returning to the short term / long term needs – is there green belt work that can be done now.

KH: RBWM have done a green belt study in support of their plan. But they must be able to show that they have done everything they can to meet housing needs in the HMA

PSt: Should have looked at further edge of settlements but happy with amount and distribution. Some concerns about that only release of green belt that is fully developed. Do not agree on garden centres, but agree on the golf course. Happy RBWM are fully meeting need.

AB: We have concerns on RBWM's scoring on green belt sites - some inconsistencies have been picked up. Not convinced that there has been a real show of "no stone unturned". Have you really looked comprehensively and exhaustively? One of the reasons that we feel this is that when we have asked questions we haven't received answers. At the bottom of it, it is about a feeling that RBWM could take some of Slough's unmet need. What we would like is an assurance that all the sites have been scored absolutely consistently and there are no gaps in the coverage in the assessment. Methodology concerns are not covered by the topic paper.

HM: I will make sure that we do give you answers to the questions – apologies for not replying to you earlier. It would help if you could give us some examples of where you feel the scoring hasn't been consistent etc, so that we can provide assurance.

AB: At the moment we are not convinced all options have been explored so will have to continue to object to the plan.

JJ: Then would have to object to SBCBC plan.

KH: Seems to me that Slough would be ok on Duty to Co-operate as they have done all the work needed to show they have tried to meet their needs SBCDC and RBWM could both be at significant risk failing duty to cooperate. Slough recognises that progress has been made recently.

GW: Comments on green belt methodology have not been made to trip up RBWM and we have tried to be constructive and pointing out issues and have to still point out the areas that need to be sorted out.

KH: What are issues?

GW: We need answers to points raised in our representation email.

IC: Unfortunately the representation references are quite vague and generalistic. It would be helpful to have clearer examples of where you feel that we need to do more work and where clarification is required

PSt: Is this on evidence/methodology or results?

GW: Need to be satisfied "no stones unturned" on release of land for development. Has land south of Slough been considered that should have been for example?

HM: It is hard to answer unless provided with more specific detail.

GW: RBWM stopped looking at green belt release once 100% of need had been reached

HM: We are already looking at commissioning work to look again at sites that were previously on the margins.

KH: RBWM might well consider a topic paper on the green belt. This could be done after submission. It would be helpful if this could be done with liaison with SBCDC and see if they can withdraw objection. But looking to the longer term ...?

PS: In the longer term, could the authorities consider that RBWM signing up to work in HSPG give the assurance they require of a commitment to a wider strategic analysis and future review (if this could be accepted on a political level)

PSt: Heathrow is strategic. All the participating local authorities at the moment are responding to Heathrow on a collaborative basis. Paying for non-statutory sub regional strategy and plan is a longer term objective. Meanwhile the horizon is two years. We have a commitment from politicians and DCLG. We are looking at green belt/diverting rivers/land purchase to facilitate Heathrow and will tie into London Plan

HM: Can we consider these together?

PSt: We already doing so with HSPG and working with members. Hillingdon will not participate. Heathrow will not work with individual authorities or groups of authorities.

HM: If duty to cooperate issues are encompassed in part of HSPG work that would help the plan process?

PSt: It will not solve all the problems with the RBWM plan. But we would like to see a commitment to growth strategy and immediate review of plan and HSPG would help that. Could be in statement of common ground

SBCBC in agreement.

HM: What would be the scope of a strategic growth study?

GW: First thing is to agree the area and define the geography of the HMA; other authorities should be part of the discussion. That would entail a new SHMA geography assessment.

PSt: We are not planning for that.

RBWM/SBC agree with the current HMA.

KH: Not withstanding arguments about which HMA. In the scenario that RBWM have met their need. When SBCDC submit their plan, Slough will say SBCBC are not prepared to help. Slough want the northern expansion to meet their housing need close to where it arises.

GW: Feel the argument about the HMAs needs to come out at RBWM examination and do not agree with KH view. SBCDC are co-operating under the duty.

KH: RBWM will have to demonstrate that they have done everything to meet Slough needs and the affordability issue. Is there agreement that RBWM can meet its own OAHN?

PSt: We have some site queries regarding deliverability.

GW: Qualified yes to this point but issues with sustainability appraisal. If other sites are going to be proposed we will have to look at the process and site appraisals.

HM: We want to minimise the extent of the SB objections, so we are looking above the OAHN figure. Lepus have been appointed to test above OAN. Would it be helpful for us to show you the proposals that we are asking Lepus to appraise for us?

GW: Yes – what is your timetable for this? We do have some issues with topic paper re Lepus work.

AB: We will provide details of sites referred to in the sustainability appraisal where we have questions so RBWM can address them. Any further sites might bring additional impacts on air quality, transport etc that will have to be assessed.

HM: We are commissioning the work now. Would you like to join in the work on assessment – especially impacts on Burnham Beeches.

AB: Bucks CC are doing our modelling for us. But there may be some potential for joint work around Burnham Beeches.

KH: Recap – Thinking about the SoCG –

- Commitment to early review and the principles setting out how this will be undertaken (must include a strategic green belt review)
- Agreement that expansion of Slough to the south is constrained by the motorway.
- Discussion of functional market areas – no agreement.

KH: Turning to affordable housing

PSt: This is a major concern for us and we are very disappointed that despite raising this continually for years and in detail in our reg.18 submission, the published plan has not taken on those concerns at all. We are building all that we can in the centre of Slough. It's a major change to the character of the town and it is important that we don't give up our suburban areas too. We are doing all we can but it's important that we have a balance housing market and it's not tolerable that all the housing need for affordable rent is pushed into Slough. We are under pressure from authorities inside London and outside dumping their affordable housing need on Slough.

HM: It should be recognised that the housing need is going to have a huge impact on the character of Maidenhead which is going to change massively with all the development in that area. But we are looking for good design/placemaking.

SB - Affordable Housing for rent is issue for Slough and it is not the custom and practice to seek this in RBWM. The new policy does not specifically talk about affordable housing for rent. Need a Housing strategy and an SPD is not open to consultation. There is no evidence of deliverability. We believe this lack of affordable housing for rent will cause problems as the cheapest rented accommodation is in Slough. RBWM has not satisfied the duty to cooperate on this point.

JJ: It is not the stance of the council to not seek affordable housing and will evidence by the annual monitoring report.

PSt: I'd ask RBWM to show whether they have in practice development management been asking developers to provide affordable rent.

JJ: Yes we do. The evidence will be in the AMR. It is sought by the DM officers in negotiations.

PSt: At the moment the plan policies leave it up to the developer to decide which form of affordable housing they will provide.

KH: What modification is needed to satisfy you?

PSt: Recognition of need for affordable rent, 75% of affordable housing should be for social rent. Policy should start from point of view of requiring affordable housing for rent rather than viability issues to be considered. Would like evidence of affordable housing delivered and recognition of political view. The council's corporate strategy doesn't support anything other than encouraging home buying. The SPD doesn't leave it open for consultation. There is no housing strategy for the council. Policy should start from the point of view of requiring affordable housing for rent and only at that stage should viability issues be considered.

JJ: Affordable housing policy is being reviewed and may be shared but need to be agreed with lead members. Should be able to share in next couple of weeks. It could then be added as a main modification.

PSt: Objections to the BLP would need to stay in place until we see what is being proposed. Could potentially consider withdrawing the objection. It would be useful to see the proposed modifications before cabinet?

HM: RBWM need to agree about affordable housing for rent before the submission by change of approach as long as member sign off is obtained. In order to submit with plan would need to be resolved by end November.

GW: What is your timetable? There is quite a lot of additional work that has been mentioned: We will give more specific evidence as soon as possible on green belt and sustainability appraisals issues in order that RBWM can respond. With regard to the HMA – unless all six Berks LAs are part of the defined HMA, SBCDC cannot agree. Certainly not the eastern Berks and SB HMA used for the SHLAA study by GL Hearn. Don't accept that this HMA is backed by evidence.

HM: Likely that GL Hearn will appear at hearing to defend position.

KH: There is no reason why the statement of common ground can't say that while Slough and RBWM agree on the Eastern HMA, SBCDC do not. RBWM will have a reasonable chance of passing duty to cooperate provided you can show that there has been a robust appraisal of all site opportunities.

In statement of common ground:

- SBC will agree the current eastern HMA, SBCBC do not. RBWM would need to demonstrate they had done enough to get agreement

- Green belt review to be undertaken as part of a Growth Strategy with recognition of Heathrow/London issues. Need to agree trigger and timing. Work to include work on the geography covered. Geography may not be the same for housing as for employment. Need to resolve how to approach London as an area.
- All agreed that progress had been made and would work more closely together in the future.
- Biggest issue to resolve is the FHMA with SBCBC disagreeing with the approach taken by the other two.

HM: new lead member is keen to meet other authorities individually and then jointly.

AB: Partnership meeting of members has already been arranged on **14 November**.

All agreed that could be good opportunity to introduce RBWM lead member. RBWM to check with lead member if he could attend and make arrangements.

Table 1: Summary of matters discussed and actions

	CONCERNS RAISED BY INDIVIDUAL LAs	DISCUSSION AT THE MEETING	<u>ACTIONS</u>
1.	Failure of the DtC reflects a failure on all sides and will set at risk all of the local plans. Where there is scope to compromise this should be explored	All acknowledged and agreed	
2.	RBWM's plan will submitted before March 2018. There is still time for appropriate modifications to be proposed and put to the Inspector with the expectation that these may be included within the Inspectors major modifications with appropriate consultation.	All acknowledged. RBWM intend to prepare a list of proposed minor modifications to include erratum matters and responses to matters raised in representations	Where more significant modifications to meet the concerns of DtC partners can be proposed, these will be shared and discussed with the partners as part of the DtC process.
3. SBCDC – issues raised			
3a	The joint plan will not be submitted for examination until late 2018. But Aylesbury Vale's plan which will accommodate some of SBCDC's unmet housing and employment space growth will be submitted before 31 March 2018.	Meeting response Noted.	
3b	HMA – As Slough and RBWM are in the same HMA, RBWM must prove comprehensively and conclusively that they are unable to meet the unmet housing need identified by Slough.	Geography on functional housing market area remains in dispute. But agreed that the NPPF requires LAs to seek capacity within adjoining HMAs to meet needs which can't be accommodated within their own HMA.	
3c	There are inconsistencies in the scoring of various sites in the Edge of settlement studies, and identification of land parcels which throw doubt on whether there is "no stone unturned" in RBWM's conclusion that they are unable to meet Slough's need.	RBWM acknowledged that SBCDC have raised some questions . But would appreciate more clarity on where these concerns lay in order to make sure that future commissioned evidence reviews address these.	AB will clarify sites where there are concerns and provide details of which land parcels are of particular concern. RBWM will take these concerns on board in future reviews of the evidence, keeping SBCDC in the loop including as results of the call for site are being analysed.
3d	There are inconsistencies in the S.A. with respect to consideration of options managing/ distributing growth	RBWM will commission Lepus to undertake additional work to examine potential for identifying development sites over RBWM's own OAHN.	HM to share details of commission brief with partner LAs.

	CONCERNS RAISED BY INDIVIDUAL LAs	DISCUSSION AT THE MEETING	ACTIONS
3e	SBCDC are satisfied that their evidence shows that they cannot meet Slough's unmet need on grounds of Green Belt impact (sprawl).	Green belt review methodology is disputed by SBC and RBWM. SBCDC is currently considering a strategic green belt assessment	A report has been prepared identifying further sites suitable for development in the future. https://isa.chiltern.gov.uk/democracy/documents/s38909/APP%20Draft%207th%20November%20Joint%20Committee%20Report%202.pdf
4.	SBC – issues raised		
4a	Consider that all LAs in the sub-region should be working at a strategic level in order to be prepared to meet future challenges especially the impact of Heathrow and London's growth.	Heathrow Strategic Planning Group (HSPG) work is taking place now with both SBC and SBCDC involvement as part of the consideration of the Heathrow expansion plans. HSPG wider discussion of a joint planning strategy for the Heathrow sub-region. Agreed that RBWM participation in HSPG is desirable. If this could be agreed it would be viewed as a positive commitment to participation in finding solutions to the wider planning issues across the sub-region. Timing is an issue. Heathrow work has a 2 year horizon	Agreed that a collaborative approach to sub-regional strategic consideration of growth issues is desirable. RBWM will raise the issue of HSPG participation with their senior members as a vehicle for delivering DtC agreement.
4b	Green Belt is a major restriction on growth and should be reviewed as part of a "top down" consideration of growth needs rather than (as now) a bottom up analysis of the contribution that each land parcel makes to the green belt purposes.	A strategic green belt review would ideally be included in the preparation of a wider area growth strategy.	
4c	SBC considers that the Northern expansion area should be investigated jointly but that this provides a clear preference in meeting the housing need of Slough's population in an area closest to where the need arises.	SBCDC considers that the options of meeting this need elsewhere (including in the West Berks HMA) have not been sufficiently examined.	
4d	SBC has asked RBWM to consider sites over their housing OAN to meet Slough's need (Austen Way)	Agreed that the M4 constitutes a barrier to the southern expansion of Slough.	
4e	Most pressing criticism of RBWM plan is failure to provide explicit policies that support the provision of affordable housing generally but particularly affordable housing for rent.	RBWM dispute that in practice DM does seek affordable housing for rent as part of new housing development proposals. But consider that a prospective change in housing policy from government may create an	RBWM commissioning additional clarification and testing of affordable housing viability. Part of active formulation of possible modifications to

	CONCERNS RAISED BY INDIVIDUAL LAs	DISCUSSION AT THE MEETING	<u>ACTIONS</u>
	Consider policies are not meeting the housing need identified in the SHMA and that this has specific detrimental impacts on Slough's housing market.	opportunity for modifying BLP policies and explanatory text to raise the profile of affordable housing for rent. AMR is currently being worked on will provide more evidence regarding current provision.	the submission plan to ensure greater explicit support for the delivery of affordable housing for rent with senior Councillors. Agreed modifications will be shared with Duty to co-operate partners as soon as possible.
4f	B8 employment space – high demand across the area. This is footloose and capable of location anywhere with good road transport links. Needs to be considered on a sub-regional basis.	HSPG work in responding to Heathrow proposals is looking at employment space requirements including B8 and hotels across the wider area.	
5.	RBWM – issues raised		
5a.	Intending to submit plan for examination before end of March 2018 or earlier. Keen to ensure that DtC discussions move forward on issues in dispute in order to provide the Inspector with a statement of common ground.	Both SBCDC and SBC view the need to submit objections to the RBWM submitted plan as a failure by the council to actively and positively consider the issues raised earlier in the plan making process. Agreed that there was an urgent need to address the outstanding issues of disagreement between the partners. But it was also needed to set out where there was agreement. Moving forward RBWM needed to demonstrate their responsiveness to concerns, although also acknowledged that some of the issues will require a longer term response by each of the partner authorities.	The minutes of the meeting and subsequently the report from KH to be circulated to partners and will form part of the DtC record. KH to provide a report following the meeting. This report will form the basis for considering a draft statement of common ground The draft statement of common ground to be circulated Ensure political engagement in the Statement of common ground.
5b.	The BLP will provide sufficient land to meet OAHN as identified in the Berkshire (and South Bucks) SHMA (2016)	Both SBCDC and SBC generally welcomed the decision to release land to meet RBWM's own OAHN. Acknowledged that this has required very hard decisions to be made. Both have some doubts about the delivery trajectory based on concerns regarding some individual sites.	
5c.	Commissioning more work to underpin existing evidence. Includes testing sustainability for provision of housing over OAHN level, market testing of results on the sensitivity testing of	SBCDC working on environmental impacts of development with BucksCC but willing to join with RBWM to ensure consistency around Burnham Beeches.	RBWM to discuss possible collaborative work in testing the environmental impacts of further development sites

	CONCERNS RAISED BY INDIVIDUAL LAs	DISCUSSION AT THE MEETING	<u>ACTIONS</u>
	employment need, air quality impacts on sites near Burnham Beeches.		with SBCDC and Bucks CC. Agreed to share results of work to date.
5d	Given the publication of the Government's proposed standardised methodology for calculating housing need, the council will have to begin a review of the plan as soon as the current plan is adopted. The impact of Heathrow, changing trends in employment will also necessitate early review. Consider that this will provide space to work with others to reach agreed strategies for some of the matters currently not agreed.	General agreement that whole or partial view will be desirable to fit with the 2 year horizon for other plans and Heathrow Development Consent Order (DCO).	
5e.	In the shorter term can offer to: <ul style="list-style-type: none"> • suggest modifications to the plan to meet the concerns expressed by DtC partners(as appropriate)share additional evidence coming forward and provide clarification in regard to any outstanding technical questions. • seek reconsideration advantages of working with HSPG as evidence of a commitment to future work on a sub-regional basis. 	Agreed to consider these matters	RBWM to share proposed modifications to the submission plan RBWM to discuss the briefs for proposed evidence reviews RBWM to raise participation in HSPG in connection with DtC discussion of strategic sub-regional planning to accommodate future growth.
6.	Need to ensure that there is further political level discussion of duty to cooperate matters with a view to all LAs signing a statement of common ground with the aim of being before RBWM submit their plan for examination.	Partnership Meeting of members is currently scheduled for 14 th November. New lead member at RBWM is keen to meet the leads in other authorities individually. But agreed that attendance at this meeting may also be helpful.	HM to check availability of Cllr Coppinger to attend the partnership meeting scheduled for 14 Nov. In tandem RBWM to seek meetings with individual member planning leads to allow Cllr Coppinger to introduce himself. <i>(In the interim since the meeting this proposed meeting date has passed and another date will need to be identified)</i>