

# DECISION ITEM



REPORT OF	MEETING	DATE	ITEM NO
DEVELOPMENT SERVICES DIRECTORATE	DEVELOPMENT MANAGEMENT COMMITTEE	20 JANUARY 2016	4

## DUTY TO CO-OPERATE: MEMORANDUM OF UNDERSTANDING BETWEEN BLACKPOOL COUNCIL, FYLDE BOROUGH COUNCIL, WYRE BOROUGH COUNCIL AND LANCASHIRE COUNTY COUNCIL

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

The report presents proposed amendments and updates to the Memorandum of Understanding with other authorities in relation to the Duty to Co-operate in the Local Plan preparation process. The amendments address changes to the combined evidence base and the strategic issues faced by the Fylde Coast Authorities, in particular with reference to housing and transport matters; the governance arrangements; and also includes some minor textual changes to improve the clarity of the document.

### RECOMMENDATIONS

That the Memorandum of Understanding, attached as appendix 1, be adopted by the Council

### CORPORATE PRIORITIES

To Promote the Enhancement of The Natural & Built Environment ( <b>Place</b> )	✓	To Encourage Cohesive Communities ( <b>People</b> )	✓
To Promote a Thriving Economy ( <b>Prosperity</b> )	✓	To Meet Expectations of our Customers ( <b>Performance</b> )	✓

### SUMMARY OF PREVIOUS DECISIONS

#### Cabinet 23 May 2012 Memorandum of Understanding – Fylde Coast Strategic Planning

Cabinet RESOLVED to support the draft 'Duty to Cooperate' Memorandum of Understanding and recommended its adoption by Council.

#### Cabinet 18 September 2013 Duty to Cooperate: Memorandum of Understanding Between Blackpool Council, Fylde Borough Council, Wyre Borough Council and Lancashire County Council

Cabinet RESOLVED

1. To endorse the Memorandum of Understanding
2. To request that the Leader of the Council appoints two members of the Council to sit on the joint

- member/officer Steering Group established to oversee the work under the Duty to Co-operate.
3. To agree to a similar Memorandum of Understanding between Fylde and Preston Councils being drawn up and presented to a future meeting of Cabinet.
  4. To thank the Director of Development Services and his team for initiating the exercise.

## REPORT

### 1. Background/legal framework

- 1.1 The Localism Act 2011 introduced changes to the planning system, a key change was the abolition of Regional Spatial Strategies, and the consequence of this is that local authorities are now responsible for their own strategic planning.
- 1.2 To ensure that sensible planning for issues that extend beyond a local authority boundary still happens, the Government through the Localism Act and the National Planning Policy Framework (the Framework) introduced a 'Duty to Co-operate' on strategic planning issues.
- 1.3 The Duty to Co-operate applies to all local planning authorities, County Councils and a number of other public bodies, in consultation with Local Nature Partnerships and Local Enterprise Partnerships in particular. It requires working with neighbouring authorities and other bodies on strategic priorities and includes collaborating on evidence critical to understanding the needs of local areas and the wider economic and housing market areas.
- 1.4 Paragraph 179 of the Framework requires councils to work together to address strategic priorities across boundaries and development requirements which cannot be wholly met within their own areas. Failure to do so will lead to less sustainable plans and reduce the ability to deliver infrastructure and inward investment.
- 1.5 The 'Duty to Co-operate' is a legal requirement of the plan preparation process. It is the first matter that the Planning Inspectorate will look at during the Examination of the Local Plan. The Planning Inspectorate will need to see sufficient evidence to demonstrate that the 'Duty to Co-operate' has been undertaken effectively through cooperation. Experience from Local Plan Examinations that have already taken place elsewhere indicates that if the Inspector is not satisfied that the duty to co-operate has been adequately discharged, the plan will fall at the first hurdle leading to delay and further expense in the plan preparation exercise.
- 1.6 Where co-operation is not forthcoming, The Planning Inspectorate is likely to consider the extent to which the request to co-operate is 'reasonable' based on the evidence. If the deliverability of the plan is dependent on a reasonable request for co-operation by the plan-making body, that is not forthcoming, the plan may still be found unsound unless some form of working arrangement can be brokered.
- 1.7 If the Planning Inspectorate considers that the legal requirement to co-operate has been met through joint working but there is disagreement about the policy outcome (for example the proposed level of housing provision), then this will need to be resolved through the examination process based on the evidence.
- 1.8 Councils and other public bodies covered by the duty are advised to make every effort to ensure that strategic issues are properly addressed and that any major disagreements are resolved well before the examination. Whilst the Memorandum of Understanding is an important constituent in discharging evidence of Fylde Council's co-operation with Blackpool, Wyre and Lancashire County Councils on issues affecting the Fylde Coast, on its own it will not be sufficient to discharge this duty. In particular, Fylde Council will also need to demonstrate that it has co-

operated with its other neighbouring authorities, such as Preston as well as other public bodies that operate in this locality.

- 1.9 As a result of changes to both the combined evidence base and the strategic issues faced by the Fylde Coast Authorities, in particular with reference to housing and transport matters as well as the governance arrangements it has become apparent that the Memorandum of Understanding requires updating. The need to refresh the document has provided an opportunity to make some minor textual changes to improve the clarity of the document.

## 2. The Memorandum of Understanding (MOU):

- 2.1 Cabinet agreed the principle of adopting an MOU in May 2012. The draft MOU was amended following extensive discussions with the local authorities that are party to the agreement and the final version was adopted by Cabinet in September 2013.

<http://www.fylde.gov.uk/assets/files/4453/Item-8-Duty-to-Cooperate-Memorandum-of-Understanding.pdf>

- 2.2 The MOU between the four Fylde Coast authorities provides the following:

- Context on the Government's requirement regarding the Duty to Cooperate;
- Background on the Fylde Coast Peninsula and its geographical and economic characteristics;
- Cross Boundary Issues - highlighting strategic areas of agreement, including existing co-operation and collaboration between the four Authorities and areas for continued and future co-operation, to fulfil the Duty to Co-operate; and
- Governance arrangements.

- 2.3 The cross boundary issues that are currently highlighted in the Memorandum of Understanding include in summary:

Housing – issues related to housing provision and strategy across the Fylde coast; a more balanced and wider housing choice; and housing provision on the Fylde/Blackpool boundary around Junction 4 of the M55;

Business and industrial development – sub-regional employment land requirements; strategic priorities to strengthen the Fylde Coast economy around Junction 4 of the M55/ Fylde/Blackpool boundary; promotion of sustainable development on key strategic sites /corridors such as ; Blackpool Airport corridor – Fylde/Blackpool boundary; The Enterprise Zone at BAE Systems, Warton and Whyndyke Farm – Fylde/Blackpool boundary;

Retail - to work together to provide evidence to effectively resist retail applications not in accordance with the development strategies of the Fylde Coast Authorities;

Transport – relieving short to medium term congestion on the A585(T); supporting the sustainable development of Blackpool Airport as an economic priority; supporting improvement to the tram network with possible connections to Blackpool airport and the South Fylde rail line; support for the M55 to Heyhouses road link; continue to support improvements to Preston Station and improved access to Fylde Coast Towns; support proposals in the Central Lancashire Highways and Transport Masterplan; seeking a common approach to car parking standards;

Surface Water Drainage – to agree a common approach to surface water and waste water management to ensure the delivery of the required infrastructure improvements needed to accommodate future development requirements is not compromised;

Natural Environment – to work together to conserve and enhance natural habitats, biodiversity and landscapes of importance and to develop a strategic network of green infrastructure. The ‘Key Issues’ which are currently highlighted in the Memorandum of Understanding are not exclusive. The Duty to Co-operate is an ongoing process, as issues and the policy approaches are agreed other issues will arise which will need to be addressed. Therefore this memorandum will be reviewed and updated as appropriate in accordance with the governance arrangements. As part of this process it is proposed that any changes to the Memorandum of Understanding will be agreed through formal consideration by the Portfolio Holder for Planning & Development.

- 2.4 The Memorandum of Understanding is supported by a schedule which demonstrates that Fylde Council’s duty to co-operate with all its neighbouring authorities and responsible bodies has been discharged. This includes information on key issues, the responsible bodies and groups involved in that key issue, the nature of the cooperation, the progress being made and the agreed policy outcome. The provision of such a schedule is intended to assist the Inspectorate at Examination in determining that the Duty to Co-operate has been met.

### 3. Amendments to the MOU

- 3.1 The amendments to the previously adopted MOU address changes to the combined evidence base and the strategic issues faced by the Fylde Coast Authorities, in particular with reference to housing and transport matters; the governance arrangements; and also includes some minor textual changes to improve the clarity of the document.
- 3.2 The revised MOU is reproduced as appendix 1 to this report.
- 3.3 A “tracked” version of the MoU is provided at appendix 2 which highlights the changes between the two documents.

### 4. Agreement of the Memorandum of Understanding

- 4.1 The duty to co-operate, as set out in section 33A of the Planning and Compulsory Purchase Act 2004 is not a freestanding function. Rather, it sets out a way in which the authority is to carry out certain other tasks, which are already its functions.
- 4.2 The Memorandum of Understanding is a document setting out how the council will fulfil functions it already has. The development plan process was previously an executive responsibility, but now sits with the Development Management Committee. As a result, the MoU is presented for adoption by Committee on behalf of the Council.
- 4.3 Respective Fylde Coast authorities are adopting/have adopted the attached amended MoU. Importantly the revised draft was considered by the Inspector at the Examination in Public of the Blackpool Core Strategy.

IMPLICATIONS	
Finance	None arising from this report
Legal	The statutory requirement to co-operate is set out in s33A of the Planning and Compulsory Purchase Act 2004. It is a duty to engage constructively, actively and on an ongoing basis in certain processes with prescribed persons. Regard must be had to any guidance by the Secretary of State about how this duty is to be complied with. The National Planning Policy Framework includes a statement that the local plan will be examined by an Inspector whose role is to assess whether it 'has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements and whether it is sound'.
Community Safety	None arising from this report
Human Rights and Equalities	None arising from this report
Sustainability and Environmental Impact	The proposed MoU will assist in securing sustainable development across the wider Fylde Coast Area.
Health & Safety and Risk Management	The Duty to Co-Operate is a key requirement of the preparation of the Fylde Local Plan to 2030: Part 1. The Local Plan will provide the statutory planning framework to enable and assist the delivery of Fylde's future development requirements. Without its progress it will be harder to resist inappropriate development proposals being granted permission. Failure to meet the requirements of the Duty to Co-Operate runs the risk of the Local Plan being found 'unsound' at Examination.

LEAD AUTHOR	TEL	DATE	DOC ID
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Attached documents

1. Proposed (Revised) Memorandum of Understanding.
2. "Tracked" Version of Memorandum of Understanding.

# **DUTY TO CO-OPERATE**

## **MEMORANDUM OF UNDERSTANDING**

### **BETWEEN**

**BLACKPOOL COUNCIL,**

**LANCASHIRE COUNTY COUNCIL,**

**FYLDE BOROUGH COUNCIL AND**

**WYRE BOROUGH COUNCIL**

**April 2015**

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## **1.0 PURPOSE OF THE MEMORANDUM OF UNDERSTANDING**

- 1.1 This Memorandum of Understanding (MOU) updates the first MOU dated August 2013 between Blackpool Council, Fylde Council, Wyre Council (to be referred to as the Fylde Coast Authorities (FCAs) for the purpose of this MOU) and Lancashire County Council (LCC).
- 1.2 This update refreshes the evidence base; the strategic issues, in particular with reference to housing and transport matters; the governance arrangements; and also includes some minor textual changes to improve clarity.
- 1.3 The MOU provides for those strategic planning issues which require cross boundary co-operation and collaboration to ensure the requirements of the Government's 'Duty to Cooperate' are met and that the local plans of the FCAs are sustainable, deliverable and found 'sound' at examination. It formalises the ongoing dialogue and co-operation that currently exists between the four authorities.
- 1.4 The MOU will also guide the approach that the FCAs and LCC take with respect to responding to strategic planning applications and nationally significant infrastructure projects.
- 1.5 The following sections of the MOU provide:
  - Context on the Government's requirement regarding the Duty to Cooperate;
  - Background on the Fylde Coast Peninsula and its geographical and economic characteristics;
  - Cross Boundary Issues - highlighting strategic areas of agreement, including existing co-operation and collaboration between the FCAs and LCC and areas for continued and future co-operation, to fulfil the Duty to Co-operate;
  - Governance arrangements.

## **2.0 CONTEXT**

- 2.1 The Government introduced through the Localism Act and the National Planning Policy Framework (NPPF) a 'Duty to Co-operate' on strategic planning and cross boundary issues.



- 2.2 The Duty to Co-operate applies to all local planning authorities, County Councils and a number of other public bodies and requires a continuous process of engagement and cooperation on planning issues that cross administrative boundaries. This is to ensure strategic priorities across local boundaries are properly coordinated and the process should also involve consultation with Local Enterprise Partnerships and Local Nature Partnerships.
- 2.3 Local planning authorities are expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their plans are submitted for examination. If this is not achieved the Government has indicated that authorities run the risk of their Local Plans being found 'unsound' at Examination.
- 2.4 In particular, the Duty:
- relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a county council;
  - requires that councils set out planning policies to address such issues;
  - requires that councils and other bodies engage constructively, actively and on an ongoing basis to develop strategic policies in the preparation of local plan documents and activities that can reasonably be considered to prepare the way for such documents;
  - requires councils to consider joint approaches to plan-making.
- 2.5 Paragraphs 178 -181 of the NPPF gives further guidance on 'planning strategically across local boundaries' and highlights the importance of joint working to meet development requirements that cannot be wholly met within a single local planning area, through either joint planning policies or informal strategies such as infrastructure and investment plans.
- 2.6 The NPPF requires that each local planning authority should ensure that the Local Plan and decision-making is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. As part of our approach to working cooperatively, the authorities will consider the best means of gathering information and intelligence on a strategic cross-boundary basis to ensure consistency of data and its interpretation and application to development planning.

### **3.0 THE FYLDE COAST PENINSULA – SUB REGIONAL FUNCTIONALITY**

- 3.1 The Fylde Coast sub-region encompasses the area covered by the unitary authority of Blackpool Council and the two-tier area covered by Lancashire County Council and the district councils of Fylde and Wyre. The area stretches from the Ribble Estuary in the south to Morecambe Bay in the north and the Forest of Bowland moorlands in the east. The area covers 384 sq km and is home to 327,400 residents.
- 3.2 The Fylde Coast sub-region demonstrates a high level of self containment in terms of housing markets, travel to work patterns and economic functionality.
- 3.3 The Fylde Coast housing market area is broadly determined by patterns of local migration and travel to work patterns. There are strong local connections within that part of the Fylde Coast housing market area comprising Blackpool and west Fylde and Wyre. The remaining areas of Wyre relate to a wider rural housing market with the A6 corridor and eastern Fylde relating more strongly to Preston.
- 3.4 The economic functionality of the Fylde Coast is apparent through the strong travel to work patterns and employment with a shared tourism and cultural offer; regionally and nationally significant advanced manufacturing (BAE Systems at Warton and nuclear processing at Westinghouse, Springfields); the Department for Work and Pensions; and a shared infrastructure including Blackpool Airport, coastal tramway and strategic highway and rail networks.
- 3.5 This economic coherence was reflected in the establishment of the Multi Area Agreement in April 2009 and the Blackpool, Fylde and Wyre Economic Development Company in April 2010 (rebranded the Blackpool Bay Company in 2011), to support local authority partnership working, co-ordinate and drive forward shared objectives and deliver a co-ordinated programme of capital investment.
- 3.6 The landscape across the sub-region is broadly similar, largely falling within the Lancashire and Amounderness Plain National Character Area (NCA), but with a portion of the North Wyre coast within the Morecambe Coast and Lune Estuary NCA. The sub-region encompasses part of the Forest of Bowland AONB.

## 4.0 CROSS BOUNDARY ISSUES

### Context

- 4.1 Paragraph 156 of the NPPF sets out strategic issues where co-operation might be appropriate including:
- 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 adaptation, conservation and enhancement of the natural and historic environment, including landscape/habitats and the importance of European sites.
- 4.2 The priority given to these issues will depend on local circumstances and strategic approaches may not be required in every situation.
- 4.3 Working together on strategic planning issues is not new to the FCAs and LCC. Engagement on issues of common concern with respect to housing, employment land and transport infrastructure have been ongoing for many years.
- 4.4 Currently, the spatial planning policies of the FCAs are being reviewed through the development of local plans. Whilst the Duty to Co-operate proposes that neighbouring authorities should consider joint approaches to plan making, the authorities have decided to develop separate Local Plans, albeit closely aligned, due to the different stages of the local plan process at which each authority finds its self and having regard to the unitary status of Blackpool Council.
- 4.5 To undertake a joint local plan would further delay the adoption of an up to date plan for each authority. The coalition government has advised local planning authorities to ensure that they get up to date local plans in place as soon as possible. Without an up to date plan, development decisions will be made on the basis of the NPPF, with the presumption being 'yes' to sustainable development unless 'any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in the Framework indicate development should be

restricted'. This could result in development being approved which does not have the support of the authorities.

- 4.6 Lancashire County Council (LCC) is responsible for the delivery of transport infrastructure and services within Fylde and Wyre districts directed by the Local Transport Plan and Fylde Coast Highways and Transport Masterplan; as well as education and social care provision and new responsibilities relating to flood risk and health. This also involves working with Blackpool at a strategic level to ensure a co-ordinated approach to infrastructure and service delivery. LCC's involvement is therefore critical in the development and delivery of the FCAs' local plans.
- 4.7 With respect to waste management and the provision of minerals, LCC and Blackpool Council as minerals and waste authorities have a long standing relationship of working together in preparing; monitoring and reviewing the Joint Minerals and Waste Local Plan and Municipal Waste Management Strategy for Lancashire. The Local Plan is currently being reviewed and an Onshore Oil and Gas Supplementary Planning Document (SPD) is under preparation.
- 4.8 The FCAs and LCC acknowledge that addressing cross-boundary issues is essential if sustainable development is to be delivered at a local level and economic growth and social and environmental well being for the sub-region is to be achieved. Those strategic issues which are considered to need cross boundary co-operation are set out below. The 'Key Issues' which are highlighted at the end of each section are not exclusive. The Duty to Co-operate is an ongoing process, as issues and the policy approach are agreed other issues will arise which will need to be addressed. This memorandum will be reviewed and updated as appropriate in accordance with the governance arrangements set out at the end of this document.

## **Housing**

- 4.9 The housing offer on the Fylde Coast has an important role in supporting the sub-region's economy. The Fylde Coast housing market area (HMA) as a whole offers a wide range of housing and neighbourhoods, including some very attractive areas, but there are also some major concentrations of poor quality homes in very unattractive neighbourhoods. These

neighbourhoods contribute to the underperformance of the local economy, whilst in the attractive areas it is difficult for local people on modest incomes to be able to afford to buy or rent a suitable home.

- 4.10 To achieve a more balanced housing market the FCAs have undertaken a joint approach to addressing housing issues unrestricted by local authority boundaries. This has included appointing a Fylde Coast Housing Strategy Manager in October 2007 to develop and manage the sub-regional approach to housing and inform policy development.
- 4.11 Joint housing studies have been produced to inform policy development, including the need for new and affordable housing:
- the **Fylde Coast Housing Market Assessment Study (December 2013) published February 2014** (including Addendums) - to provide a robust evidence base to inform the policy approach to be adopted in the individual local plans. This study is a key document in the Local Plan evidence base and updates the previous 2008 Fylde Coast SHMA. It is accompanied by two Addendums which relate to the 2012 ONS Population and Household projections which were released in October 2014 and February 2015 respectively
  - the **Fylde Coast Housing Strategy 2009** - to provide a common understanding, vision and set of priorities for housing across the Fylde Coast housing market area to provide a wider understanding of issues and priorities that enables public and private sector partners to develop their work in a clear strategic context.
- 4.12 In considering housing need and requirements, the FCAs also need to address the accommodation requirements of Gypsies, Travellers and Travelling Showpeople. The Government's Planning Policy for Travellers (March 2012) sets out the broad approach to be adopted and requires all local authorities to provide for a 5 year supply of sites where a such need is identified. In response to this the FCAs jointly commissioned consultants Opinion Research Services to undertake a Gypsy and Traveller Accommodation Assessment and the findings were published in October 2014. The assessment established a need for additional sites across the Fylde Coast including 81 traveller pitches and 14 plots for Travelling Showpeople to 2031.

**We will work together to:**

- reach a consensus on housing provision across the Fylde Coast sub-region;
- establish a more balanced and wider housing choice in the Housing Market Area;
- promote a strong and distinctive sustainable pattern of settlement growth that supports each area's needs;
- reach a consensus on the accommodation needs of Gypsy, Traveller and travelling Showpeople communities across the Fylde Coast sub-region;
- agree complementary/joint approaches to the delivery and accessibility of affordable housing.

**Economy – Business and Industrial Development**

- 4.13 There are strong links between the FCAs in terms of travel to work patterns and employment, which warrant the joint consideration of future employment development for the sub region.
- 4.15 The size of the Fylde Coast economy is around £4.8bn – some 2% of the North West economy but productivity per head significantly underperforms the Lancashire and England average, reflecting the predominance of the tourism sector. However the sub-region does contain significant specialism in advanced manufacturing in Fylde - aerospace at Warton, identified in 2012 as an Enterprise Zone, nuclear processing at Springfields, accounting for almost half the industrial business lands in the sub-region and advanced chemical manufacturing at Hillhouse, Thornton.
- 4.16 Other strengths exist in food processing and environmental technologies. Environmental technology including Global Renewables at Thornton and fish processing associated with Fleetwood docks contribute significantly to employment in Wyre. The public sector and government agencies are also substantial providers of jobs in the sub-region along with insurance providers Axa and Aegon in Fylde.

4.17 Decline in GVA and employment has been a shared experience across the FCAs. However they recognise the need to strengthen, promote and enhance the tourism offer whilst at the same time further develop the other key sectors referred to above, with a need to persuade existing businesses in these sectors to grow and to provide the right conditions for other firms to invest.

4.18 Crucial to this is the provision of quality development sites to support new business growth. The peripheral location of the Fylde Coast within the North West makes it critical to provide a portfolio of sustainable employment opportunities to improve economic performance. The FCAs have recognised the need to capitalise on the particular assets, strengths and opportunities of the sub region as a whole. In 2010 a Fylde Sub Region Employment Land Review was agreed by Blackpool, Fylde and Wyre which sets out the current position in terms of employment land availability. Updating this in 2012 Fylde Council commissioned consultants to carry out an Employment Land and Premises Study and Wyre Council undertook an Employment Land and Commercial Leisure Study. In 2015 Wyre commissioned an update of the employment land elements of the Employment Land and Commercial Leisure Study. Blackpool Council has undertaken an updated Employment Land Study which was published in June 2014. Additionally BE Group were jointly commissioned in 2013 by Fylde and Blackpool Councils to undertake an employment land appraisal study relating to land on the Fylde/Blackpool boundary around Whitehills and Junction 4 of the M55 and specific sites in south Blackpool.

4.19 The Blackpool Bay Company (BBC) has commissioned Genecon consultants to develop the Blackpool, Fylde and Wyre Local Growth Accelerator Strategy focused on delivering economic change at the sub-area level across the Fylde Coast in line with the Lancashire Enterprise Partnership Growth Plan and Strategic Economic Plan.

**We will work together to :**

- **undertake joint consideration of future employment development for the sub-region in response to the strong links between the FCAs in terms of travel to work patterns and employment;**
- **agree the sub-regional employment land requirement;**
- **agree the strategic priorities for land use with the aim of attracting major new economic development to help strengthen the Fylde Coast economy;**

- to promote sustainable solutions at key strategic sites and corridors:

- Blackpool Airport corridor – Blackpool/Fylde boundary including newly designated Enterprise Zone;
- The Enterprise Zone at BAE Systems – Warton – Fylde;
- Hillhouse International Business Park – Wyre;
- Central Business District – Blackpool Town Centre;
- Junction 4 of the M55 – Fylde/Blackpool boundary;
- A6 Corridor/Garstang – Wyre

## Retail

- 4.20 Retailing is a key strategic issue over which the FCAs collaborate and in September 2007 White Young Green were commissioned by Blackpool, Fylde and Wyre authorities to carry out the first sub-regional retail study for the Fylde Coast. The study, which was published in June 2008, was undertaken to provide an in-depth analysis of the retail provision within the main centres of the Fylde Coast Sub-Region, including an assessment of the extent to which the centres were meeting the retail needs of the local population and the role of the local shopping network and the sub-regional shopping hierarchy.
- 4.21 This 2008 study was updated by Roger Tym and Partners – the ‘Joint Fylde Coast Retail Study 2011’ in order to reflect significant changes since the first study. These include major new developments, in particular the extension to the Houndshell Shopping Centre in Blackpool; economic changes; forecast retail expenditure growth rates; and changes in national guidance at the time with respect to the publication of PPS4 (December 2009) and the test of soundness for Local Plan Documents in PPS12 (June 2008), now superseded by the NPPF.
- 4.22 The 2011 study provides evidence to inform the local plans of the FCAs with respect to:



- a. the retail role of towns within the Fylde Coast and their position in the retail hierarchy;
  - b. potential future development needs for each authority; and
  - c. definition of the town centres within the Sub-Region which are Blackpool, Lytham, St Annes, Kirkham, Fleetwood, Cleveleys, Poulton-le-Fylde and Garstang.
- 4.23 The 2011 study has been endorsed by each of the FCAs to be used as appropriate evidence base on which to inform policy in their local plans.
- 4.24 To address over-trading issues of particular convenience stores highlighted in the 2011 study, Fylde and Wyre jointly commissioned Peter Brett Associates (formerly Roger Tym and Partners) to undertake additional work to assess the impact on future convenience expenditure capacity in their areas. It also provided the opportunity to extend the consideration of future floorspace needs for an additional 4 years to 2030 to reflect Fylde and Wyre's Local Plan periods.

**We will work together to:**

- **reach a consensus on the retail hierarchy and roles of towns within the Fylde Coast Sub-Region;**
- **provide evidence to effectively resist retail applications which are not in accordance with the retail hierarchy contained in the development plans of the FCAs.**

**Transport**

- 4.25 Developing a more sustainable and efficient transport network across the Fylde Coast is vital for our economic prosperity and our social and environmental well being. Our sub-regional transport infrastructure needs to support our economic priorities and effectively integrate with future development locations to reduce the need to travel, making it safe and easy for Fylde Coast residents to access jobs and services; for visitors to access and enjoy the tourism and cultural offer; and for business to be attracted to invest in the sub-region.
- 4.26 The transport infrastructure of the Fylde Coast comprises road, rail, tram, air and potential port links supported by a comprehensive network of footpaths, canal, cycle routes and bridleways.

- 4.27 At the heart of the transport network is the M55 linking Blackpool with the M6 north of Preston. This is supported by the principal road network including the key routes of the A583 (Preston - Kirkham - Blackpool), the A584 (Freckleton/Warton –Lytham St. Annes-Blackpool), the A585(T) (M55 Junction 3 to Fleetwood), A6 (Preston – Garstang – Lancaster), the A586 (A6 to A585) and A588 (A585 through Wyre East Rural to Lancaster)
- 4.28 The North Fylde line connects Blackpool North, Poulton-le-Fylde and Kirkham with frequent and fast services to Preston. This line has recently been electrified which will increase the potential; for modal shift to relieve the road network enhance and may see through services by using Pendolino trains by 2017. There are a total of twelve railway stations in the sub-region, most of which are situated on the south Fylde line which connects to Blackpool South station and the Pleasure Beach and serves Lytham and St. Annes with an hourly service to Preston.
- 4.29 The Blackpool Tramway system runs for some 11 miles along the coast from Starr Gate in south Blackpool to north Fleetwood linking to Blackpool North and South stations although the interchange between the two is currently poor. The tramway has seen recent significant investment with a comprehensive upgrade completed in 2012, providing a modern accessible transport system which carried some 4.3 million passengers in the year ending October 2013. Through Sintropher funding, work has been undertaken to assess the development of tram services linked to the national rail network. The Blackpool North Tram option proposes a 700m extension from the promenade at North Pier along Talbot Road to Blackpool North rail station. The intention is to create an interchange between the tram and rail, increasing accessibility and connectivity between destinations along the Fylde Coast tramway and the national rail network.
- 4.30 Until October 2014, Blackpool Airport operated regular charter and scheduled flights throughout the UK and to various European destinations. In addition, whilst the Port of Fleetwood ceased ferry services in 2010 it maintains its capacity for ferry Roll On Roll Off (RORO) and has potential as a maintenance base for the off-shore energy sector, including wind turbines.
- 4.31 Whilst the transport infrastructure for the Fylde Coast could be considered as comprehensive there are major strategic challenges which need to be addressed to improve our economic competitiveness. These include:
- The A585(T) corridor which presents a significant bottleneck at Singleton crossroads and other local problems for connectivity between the M55 and Fleetwood

- Congestion on the A585 between the M55 and Fleetwood could undermine future economic development activity of the Fleetwood -Thornton Development Corridor (to which the adopted Fleetwood-Thornton Area Action Plan, is applicable)
- The A6 corridor and in particular junction 1 on the M55 is close to capacity which could limit future growth along the A6 corridor beyond planned growth in North Preston
- In the south access to the BAE Systems site at Warton needs to be improved to allow redundant brownfield land to be suitable for future development. Such connectivity issues act as a barrier to communities accessing employment. In response to this the Central Lancashire Highways and Transport Masterplan proposes a Western Distributor road around Preston linked to a new Junction 2 on the M55 to accommodate significant housing development in northwest Preston and improve access to the Enterprise Zone site
- Access to the Warton Enterprise Zone from the wider Fylde Coast can be problematic in particular from Wyre, trips taking around 50 minutes from Fleetwood to Warton outside peak holiday season and significantly longer within season. In addition public transport is also limited
- Public transport connectivity is relatively poor with limited rail connectivity between some of the key urbanised areas and coastal and market towns of Wyre and Fylde and the wider North West. Heavy rail connectivity to St Annes and south Blackpool is restricted by a single track line with trains only running once every hour in both directions. The propensity of those in the South Fylde rail line catchment area to use rail is well below the national average. There is a real need to increase service frequency and reliability, meeting transport demand from Lytham St Annes and supporting regeneration in south Blackpool. In addition, a lack of suitable interchange means the tram system is currently disconnected from the rail infrastructure. At Preston, interchange between services is made more difficult by poor platform access between main line platforms and those serving the Fylde Coast
- Blackpool Airport, now designated within an Enterprise Zone is a considerable sub-regional asset and there is a need to ensure that the economic potential of this asset is maintained. Currently public transport access to the airport is relatively poor. There is no rail station and at present no buses directly serve the site. If the airport is to truly appeal, there needs to be investment in transport infrastructure to the site from not only across the Fylde Coast but also from places such as Preston

4.32 Local transport planning priorities for Lancashire and Blackpool captured in the Fylde Cost Highways and Transport Masterplan will play an important part in addressing these strategic challenges. As well as the strategic issues presented above, this will consider important issues of rural connectivity, bus infrastructure and coach travel and the promotion of cycling.

**We will work together to:**

- identify and carry forward a programme of cost effective viable improvements along the A585, working with the Highways Agency to remove the last remaining pinch-points along the route;
- consider the need for and the means to provide new direct, high standard road links between the M55 motorway north to Norcross and south to St. Annes to relieve road congestion and improve connectivity to potential areas of growth and development;
- to identify and deliver necessary improvements along the A6 corridor to support new growth and development;
- support the sustainable development of Blackpool Airport including working to explore the potential to develop commercial aeronautical activity and improvements to surface access by public transport;
- Support improvements to Preston Station, Blackpool North and other stations and maximise the opportunities presented by rail electrification and HS2 for rail travel and commuting;
- support further improvements to and better integration of the sub-regions train and tram networks to assist north-south movements along the coast from Fleetwood to Starr Gate and south to Lytham and St. Annes;
- Consider the opportunities presented by significant new road infrastructure in Central Lancashire, including the prospect for a new road crossing of the River Ribble;
- seek a common approach to parking standards across the sub-region.

**Surface Water Drainage and Waste Water**

- 4.33 Water infrastructure capacity is a key cross boundary issue which will directly affect the delivery of built development across the Fylde Coast. The main issues relate to surface water drainage; the capacity of the existing sewage network and the need to ensure that proposals for new development have no adverse effect on the bathing water quality along the Fylde Coast. This is a vital issue as the quality of our beaches and bathing water underpins our tourism offer and our future economic prosperity.

- 4.34 Recent studies have been undertaken to inform the evidence base including the Central Lancashire and Blackpool Outline Water Cycle Study completed in April 2011. Whilst this study covers those authorities in Central Lancashire and Blackpool which were included in the Growth Point area, the study provides an assessment of the flood risk planning data, foul drainage, surface water management water resources and infrastructure issues including information on the wider Fylde Coast area. In addition, as part of its role as a Lead Local Flood Authority, Blackpool has recently produced a Blackpool Surface Water Management Plan researching and aligning all data, information and legislation, in liaison with United Utilities and the Environment Agency on critical capacity issues, with a focus on existing assets, identifying flood risks, mitigation measures and with the view to developing an on-going implementation plan. This plan will include wider consideration of cross-boundary surface water infrastructure and drainage issues along the coastal belt in order to generate and develop sustainable drainage measures. Lancashire County Council is the Lead Flood Authority for the Fylde and Wyre area and works closely with the FCA's to identify and address Blackpool Flood Risk Management Strategy for 2014 to 2017.
- 4.35 From the evidence base it is clear that the main cross boundary issues relate to network capacity issues which are contributing to surface water flooding and spills of untreated waste water into the Irish Sea, putting at risk Fylde Coast bathing waters under the new bathing water legislation due to come into force in 2015.
- 4.36 It is therefore imperative that the FCAs and LCC agree a supportive approach to surface water and waste water management to ensure that the economic prosperity of the Fylde Coast is not compromised and that the future development requirements of the sub-region can be accommodated. This includes the approach to ad hoc development not compromising the delivery of required infrastructure improvements to address the capacity issues of the Fylde Coast.
- 4.37 In recognition of the issues surrounding water management the Fylde Peninsula Water Management Group (FPWMG) was set up in April 2011. The Group is a partnership comprising the Environment Agency, United Utilities, the FCAs, Lancashire County Council and Keep Britain Tidy. The purpose of the group is to provide a sustainable and integrated approach to the management of coastal protection; water quality (including bathing waters), surface water drainage (including flooding) and development.
- 4.38 The Partnership established a set of guiding principles to work towards:
- Work together to develop a strong evidence base so we can prioritise what is important for the area;

- Use this evidence to demonstrate how environmental improvements can deliver real and lasting social and economic outcomes;
- Cooperate to identify and deliver innovative solutions;
- Unlock new funding streams and align investment plans to deliver real value for money;
- Develop an agreed programme of works that delivers real and lasting change.

4.39 The FPWMG has also produced a ten point action plan which sets out the work that is needed to deliver long term improvements to bathing water quality across the Fylde Peninsula.”

**We will work together to:**

- **agree a common approach to surface water and waste water management, including the approach adopted to ad hoc development, to ensure the delivery of required infrastructure improvements needed to accommodate future development requirements is not compromised.**

### **Natural Environment**

4.40 The Fylde Coast sub-region is characterised by a wide variety of natural environmental assets, from intertidal mudflats to the high Bowland fells, and including all of Lancashire's surviving natural sand dune systems. There is a range of overlapping wildlife designations including sites of international, National and local importance which seek to conserve natural habitats and/or species. Six designated sites of international importance (including Ramsar, Special Protection Areas (SPA) and Special Areas of Conservation (SAC)) fringe the coastline. There are ten nationally designated Sites of Special Scientific Interest (SSSIs) which include Morecambe Bay, Ribble Estuary, River Wyre. Offshore there is a Marine SAC (Liverpool Bay) and Marine SPA (Shell Flat and Lune Deep) and a Nationally important Marine Conservation Zone (Fylde). There are also 111 locally important Biological Heritage Sites (BHSs), five Local Geo-diversity Sites and pockets of ancient woodland. Part of the Forest of Bowland Area of Outstanding Natural Beauty lies within the sub region.

4.41 The sub-region is covered by two Local nature partnerships: Morecambe Bay LNP and Lancashire LNP. In addition, the Morecambe Bay Nature Improvement Area (NIA) was one of twelve designated in 2012, with the aim of improving the landscape for nature, the community and visitors.

4.42 A core planning principle of the NPPF relates to conserving and enhancing the natural environment. This should be considered at a strategic level as landscape-scale networks

of biodiversity and green infrastructure cross administrative boundaries and development in one area can have a potential effect upon natural assets in another. Green infrastructure is defined by Natural England as a strategically planned and delivered network comprising the broadest range of high quality green spaces and other environmental features. An ecological network for Lancashire, including the whole of the sub region, has been identified on behalf of the Lancashire LNP and made available through LERN. LERN, which is hosted by the County Council, supports the environmental information and intelligence needs of public, private and third sector organisations operating in Lancashire, as well as members of the public. Access to LERN data and services is covered by a separate MoA.

- 4.43 To determine the environmental impact and effect on European designated sites, the Strategic Environmental Assessment (SEA) Directive 2001/42/EC and the Habitats Directive respectively require assessments of plans and projects of neighbouring authorities to be considered, so requiring co-ordination and sharing of information at the Fylde Coast sub-regional level.
- 4.44 The sub-region is also characterised by relatively small but strategically important areas of Green Belt between i) Fleetwood, Thornton and Cleveleys ii) Thornton, Cleveleys, Poulton-le-Fylde and Blackpool iii) South Blackpool and St Anne's, iv) Lytham and Warton, v) Freckleton and Kirkham and vi) Staining and Blackpool / Poulton-le-Fylde. Any substantial strategic changes to Green Belt boundaries would need to be undertaken as part of a holistic sub-regional review and there is not currently any evidence of a requirement for such a review to take place.

**We will work together to:**

- **conserve and enhance natural habitats, ecological networks and landscapes of importance; and**
- **develop a strategic network of green and blue infrastructure across the sub-region.**

## **5.0 GOVERNANCE**

- 5.1 The Duty to Co-operate requires that councils engage constructively, actively and on an ongoing basis. There is therefore a need to establish governance arrangements and protocols to ensure that the requirements of the Duty to Co-operate are met and that the FCAs can demonstrate at examination of their Local Plans that appropriate and

constructive co-operation has taken place to ensure sustainable outcomes to strategic planning issues.

5.2 Governance arrangements under this MOU will comprise:

A Joint Member and Officer Advisory Steering Group to oversee the work under the Duty to Co-operate. The Terms of Reference for the Group are as follows:

- a) **To facilitate the Fylde Coast Authorities in meeting their Duty to Cooperate by discussing matters of common interest in relation to strategic planning on the Fylde Coast as a whole and to make recommendations to each Local Planning Authority and the County Council as necessary;**
- b) **To review as necessary and keep up to date the Memorandum of Understanding between the Fylde Coast Authorities;**
- c) **To collaborate on the development of planning, economic development and transport policy where appropriate to achieve consistency of approach**
- d) **To commission joint studies relating to strategic matters and the development of planning policy in each individual Local Authority and ensure that the evidence base remains up to date;**
- e) **To discuss and resolve as far as is possible cross boundary issues to make recommendations to each individual authority and the County Council as necessary;**
- f) **To keep each Local Planning Authority and the County Council informed on the development and review of planning, economic and transport policy in each individual Authority area;**

5.3 The group will be chaired on a rotational basis by a Member of one of the four authorities. The Council Leaders and Chief Executives will have the remit to appoint up to two appropriate representative to act on their behalf as necessary. All meetings will be minuted to provide an ongoing evidence of co-operation.

5.4 An Officer Working Group will provide support to all joint working arrangements as appropriate to ensure constructive engagement, good communications and transparency, seeking innovative sustainable solutions to strategic issues