

2020

Duty to Co-operate Statement

PUBLISHED IN SUPPORT OF THE BRENT LOCAL PLAN 2020-2041
PLANNING POLICY TEAM

LONDON BOROUGH OF BRENT

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Legal requirement

The Duty to Cooperate (DtC) is a statutory duty for all Local Planning Authorities (LPA's). This came into effect in November 2011 through Section 110 of the Localism Act. This inserted Section 33A (S33A) into the Planning and Compulsory Purchase Act 2004. S33A states that LPA's are *'to engage constructively, actively and on an on-going basis'* with neighbouring boroughs and other public bodies in the preparation of development plan documents *'so far as relating to a strategic matter.'* Paragraph 24 of National Planning Policy Framework (NPPF) provides further emphasis.

The London Borough of Brent (LBB) is a Local Planning Authority (LPA). In terms of local government hierarchy, it sits below the Greater London Authority (GLA), which represents the London Mayor as the Strategic Regional Authority. The Mayor's London Plan addresses London wide strategic planning matters. London Borough's Local Plans can deal with cross boundary issues. Mostly however they concentrate on borough specific policies. These policies can be strategic in that they apply across the whole borough, or they can also be more localised. Section 24 (1)(b) of the Planning and Compulsory Purchase Act 2004 requires borough plans to be in general conformity with the London Plan.

In meeting, the DtC it is therefore important that the LBB collaborate with the GLA, adjacent London Boroughs and other relevant public bodies. This is to ensure that its Local Plan is effective and collaborative in addressing the requirements laid out in Regional (London Plan) and National (NPPF) policy.

Statement of Common Ground

Paragraph 27 of the NPPF has introduced a requirement for strategic policymaking authorities to *'prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these.'* This is required *'in order to demonstrate effective and on-going joint working.'* This is something that has been introduced as part of the DtC process.

Brent has produced a number of Statements of Common Ground. These have been separated into five documents to address matters of varying detail and scale as relevant for the respective strategic partners. The documents and their addressed matters are as follows:

- The GLA and adjacent London Boroughs
 - Matters addressed: housing, tall buildings, protected views, employment, transport, green infrastructure and sports facilities, and district heating.
- Transport for London (TfL)
 - Matters addressed: West London Orbital, buses, station accessibility, station capacity, cycle network, freight, electric vehicle charging points, existing TfL infrastructure, and the TfL Road Network.
- The Canal and River Trust
 - Matters addressed: active transport, open space and biodiversity, freight, flooding, heating and cooling, boating, and the Welsh Harp.
- The Environment Agency
 - Matters addressed: air quality, open space, biodiversity, and flood risk.
- Thames and Affinity Water
 - Matters addressed: water.

These documents will serve to address strategic matters in more detail than is appropriate within this document. They evidence the work that LBB has done consistent with the DtC of seeking to

address/ resolve issues raised with the relevant organisations through the Plan process. The documents are available on webpage: www.brent.gov.uk/shapebrent

Consultation Statement

At each stage of consultation, LBB has received comments from stakeholders. The GLA, London Boroughs, and public bodies commented, in addition to a number of other, non-statutory consultees. Summaries of comments received and responses from these consultation processes are set out for each Local Plan stage. These statements on the www.brent.gov.uk/shapebrent webpage. These documents show progression made on matters between the Council and stakeholders throughout the plan process.

Brent policy context

During the preparation of the Brent Local Plan, reviews of both the NPPF and the London Plan occurred. The NPPF was subject to a significant revision in 2018 with minor modifications in early 2019. The London Plan was under review from 2017, with ongoing consultation and revisions made prior to and during the Examination. In October 2019, the London Plan Examination Panel issued their Report. The Panel deemed the London Plan sound, subject to suggested modifications. The Mayor is considering his response.

The Council started a review of its current Local Plan in 2017. Consultation on an Issues and Options document was in late 2017. Results of this resulted in the Preferred Options document, subject to consultation in late 2018. Representations made at consultation and additional evidence base work resulted in the Regulation 19 Publication document consulted upon in late 2019. Representations received and the examination process may lead to further modifications. If found sound, the Plan will be adopted in 2020. This document will support the submission document in demonstrating the Local Plan's positive preparation. It will assist the Planning Inspector in identifying the Council's fulfilment of the DtC.

Summary of engagement

The LBB meets regularly with London stakeholders to discuss emerging policy at forums such as:

Association of London Borough Policy Officers (ALBPO) and officer sub-group – quarterly. Addresses national policy, London Plan and borough Local Plan, Supplementary Planning Documents, Article 4 Directions and Neighbourhood Planning issues;

West London Alliance Strategic Infrastructure Delivery Plan (IDP) meet-ups. Help steer Atkins, who have been commissioned to produce the strategic IDP, to ensure its effective delivery in meeting joint aims across the West London boroughs. Currently have met 30/10/2019 & 29/01/2020;

West London Alliance Planning Policy Officers Group – quarterly. Addresses national policy, London Plan and borough Local Plan, Supplementary Planning Documents, Article 4 Directions, Neighbourhood Planning and Heathrow planning issues. Co-operation in commissioning numerous joint West London evidence base studies including Strategic Flood Risk Assessment Level 1 2017; Strategic Housing Market Assessment 2018, Gypsy & Travellers Needs Assessment 2018, Small Housing Sites Assessment 2018; Employment Land Availability Assessment 2018; Affordable Workspace Study 2019 and Strategic Infrastructure Delivery Plan 2019; and

London Waste Planning Forum quarterly to consider waste issues.

The Council has good relationships with adjoining boroughs. Due to the regular meetings it attends with most of them, it has limited requirement to meet on other occasions. The Appendix sets out some further details of meetings that have occurred/ topics addressed with adjacent boroughs, GLA, Transport for London and other statutory bodies. A full account of statutory bodies consulted, and whether they responded is within the appendix.

Appendix

Schedule of meetings

Body	Date of Duty to Cooperate meetings with Brent
London Borough Harrow	9th April 2019 – Draft Brent Local Plan policies. Shared town centres, intensification corridors and Northwick Park Growth Area.
London Borough Barnet	2nd May 2019 – Draft Brent Local Plan policies. A5 Corridor Tall Buildings Study. Staples Corner Growth Area.
London Borough Camden	16 th May 2018 – Discussion on Camden and Brent Local Plans – potential cross-border issues and neighbourhood planning
Westminster City Council	20 th December 2018 – Discussion on Westminster and Brent Local Plans – potential cross-border issues and neighbourhood planning 16 th May 2018 – Discussion on Westminster and Brent Local Plans – potential cross-border issues and neighbourhood planning
Royal Borough of Kensington and Chelsea	16 th January 2019 – Kensal Opportunity Area – evolution of policy to SPD and impacts on LB Brent
London Borough of Hammersmith and Fulham	Regular fortnightly Joint OPDC, Ealing, Brent and Hammersmith and Fulham DtC meetings. 3 monthly West London Alliance Planning Policy meeting. Draft Local Plans, cross-border issues and joint evidence base.
Old Oak and Park Royal Development Corporation	Regular fortnightly Joint OPDC, Ealing, Brent and Hammersmith and Fulham DtC meetings. 3 monthly West London Alliance Planning Policy meeting. Draft Local Plans, cross-border issues and joint evidence base. 22 nd January 2020 – Discussing potential to meet Industrial Land targets with GLA.
London Borough of Ealing	Regular fortnightly Joint OPDC, Ealing, Brent and Hammersmith and Fulham DtC meetings. 3 monthly West London Alliance Planning Policy meeting. Draft Local Plans, cross-border issues and joint evidence base.

London Borough of Hounslow	11 th December 2019 – Discussion surrounding cooperation duties relating to joint Industrial Market Area and housing targets.
Greater London Authority	4 th June 2019 – Focus on industrial land SIL/LSIS intensification/co-location and small housing sites/meeting housing targets, plus other reps on Preferred Options Local Plan 25 th September 2018 Catch up on London Plan reps and Brent Local Plan – focus on industrial land 22 nd January 2020 – Discussing potential to meet Industrial Land targets with OPDC.
Transport for London	18 th September 2019 – discussion on Local Plan, major transport schemes including WLO, S106/CIL and projected development.
Affinity Water	21 st November 2018 – supply issues in Wembley – capacity improvement work programme.
Environment Agency	9 th November 2017, 8 th February 2019, 5 th April 2018 – West London Strategic Flood Risk Assessment December 2019 – March 2020 – ongoing dialogue with regards to reps received on Publication stage Local Plan, SFRA level 2 in particular.
Thames Water	9 th November 2017, 8 th February 2019 - West London Strategic Flood Risk Assessment, 19 th August 2019 Supply and waste infrastructure availability and scale of development/locations.
Brent Clinical Care Commissioning Group	4 th June 2019 – Estate strategy and identification of additional premises needs associated Local Plan proposed development sites.

Neighbouring Local Plan status

London Boroughs	Current plan adoption date	Plan review status
GLA	2016	Intend to publish version published early 2020. Adoption currently delayed.
Harrow	2012	Evidence base gathering with Issues & Options Early 2020.
Barnet	2012	Consulted on Issues & Options document early 2020.
Camden	2017	N/A
Westminster	2016	Plan currently with inspector as of March 2020.
RBKC	2019	N/A
Hammersmith and Fulham	2018	N/A
OPDC	N/A	Consultation of Main Modifications resulting from the Plan's Examination due end of 2019 with an aim to adopt in March 2020.
Ealing	2013	N/A

Local Plan consultation comments summary

Body/Organisation	Issues & Options (2017)		Preferred Options (2018)		Publication (2019)	
	Notified	Comment	Notified	Comment	Notified	
Greater London Authority	✓	✓	✓	✓	✓	
LB Barnet	✓	×	✓	✓	✓	
LB Camden	✓	×	✓	×	✓	
City of Westminster	✓	×	✓	×	✓	
LB Kensington & Chelsea	✓	×	✓	×	✓	
LB Hammersmith & Fulham	✓	×	✓	×	✓	
LB Ealing	✓	×	✓	×	✓	
Old Oak & Park Royal Development Corporation	✓	✓	✓	✓	✓	
LB Harrow	✓	×	✓	✓	✓	
Environment Agency	✓	×	✓	✓	✓	
Historic England	✓	✓	✓	✓	✓	
Natural England	✓	✓	✓	✓	✓	
Civil Aviation Authority	✓	✓ (RAF Northolt)	✓	×	✓	
National Health Service	✓	✓	✓	✓	✓	
Network Rail	✓	✓	✓	×	✓	
Transport for London	✓	✓	✓	✓	✓	
Highways Agency	✓	×	✓	✓	✓	
London Enterprise Panel	✓	×	✓	×	✓	
Local Nature Partnerships	✓	×	✓	×	✓	