



**The Eastbourne Plan:
Core Strategy and Town Centre
Area Action Plan Submission
Versions**

**Statement of Compliance with
'Duty to Co-operate'**

31st January, 2012

This Statement of Compliance with 'Duty to Co-operate' covers both the Core Strategy and the Town Centre Area Action Plan

1.0 Introduction

1.1 The Localism Act and the draft National Planning Policy Framework (NPPF) creates a duty on local planning authorities and other bodies to co-operate with each other to address strategic issues relevant to their areas. The duty requires ongoing constructive and active engagement on the preparation of development plan documents and other activities relating to the sustainable development and use of land, in particular in connection with strategic infrastructure.

1.2 The draft NPPF (para 46) states that '*Local planning authorities will be expected to demonstrate evidence of having successfully cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination*'. This Statement of Compliance with 'Duty to Co-operate' accompanies the Submission of the Core Strategy and the Town Centre Area action Plan and sets out how Eastbourne Borough Council has co-operated with other bodies in their production.

2.0 Context

2.1 The 'duty to co-operate' is set out in Section 110 of the Localism Act. This applies to all local planning authorities, national park authorities and county councils in England, and to a number of other public bodies. The new 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 public bodies to '*engage constructively, actively and on an ongoing basis*' to develop strategic policies; and
- requires councils to consider joint approaches to plan making.

2.2 The draft National Planning Policy Framework (NPPF), which was published in July 2011, describes the 'duty to co-operate, sets out strategic issues where co-operation might be appropriate, and highlights the importance of joint working to meet development requirements that cannot be wholly met within a single local planning area.

2.3 Paragraph 23 of the Draft NPPF identifies strategic priorities, such as housing and economic development requirements, and the provision of transport energy and water supply infrastructure, where it would be appropriate for co-operation to occur.

2.4 Paragraphs 44 to 47 of the Draft NPPF identify that public bodies have a duty to co-operate on planning issues that cross administrative boundaries,

particularly those related to strategic issues, and joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas. It also identifies that co-operation should be a continuous process of engagement to ensure that plans are in place to provide the infrastructure necessary to support current and projected future levels of development.

2.5 The duty to co-operate also covers a number of public bodies in addition to councils. These bodies are required to co-operate with councils on issues of common concern to develop sound local plans.

3.0 Eastbourne Context

3.1 Eastbourne is located on the south coast of East Sussex. The Borough is surrounded to the north, east and west by Wealden District Council. It is located within the Sussex Coast sub-region as recognised in the South East Plan.

3.2 Eastbourne is a two-tier area, with East Sussex County Council providing most public services including education, highways and social services. Eastbourne is a predominantly urban area but the Borough also includes part of the South Downs, which is administered by the South Downs National Park Authority.

3.3 There is an important relationship between Eastbourne and the area of South Wealden that includes Willingdon, Polegate, Pevensey and Hailsham. Many of the residents of these areas in Wealden use services and facilities within Eastbourne. A well-integrated housing and labour market operates across Eastbourne and the southern part of Wealden and is recognised as the Eastbourne Housing Market Area. There are also high volumes of household migration and travel to work movements that take place between Polegate, Pevensey & Westham and Hailsham in Wealden, and the Eastbourne urban area.

4.0 Co-operation to date

4.1 Eastbourne Borough Council has undertaken a wide range of engagement and discussion with local authorities, particularly Wealden District Council and East Sussex County Council, and other public organisations to ensure that there is a high level of co-operation.

4.2 Eastbourne Borough Council, via the Eastbourne Strategic Partnership, has been involved in the production of the East Sussex Integrated Sustainable Community Strategy, which was developed by the six local strategic partnerships within East Sussex. The Eastbourne Strategic Partnership has also had the opportunity to discuss, debate and endorse planning policy documents at each stage in their preparation before they are agreed for distribution to the wider community. It includes the following

organisations: Sussex Police; 3VA, East Sussex County Council, NHS East Sussex Downs and Weald Primary Care Trust, East Sussex Adult Learning and Skills Partnership, East Sussex Fire & Rescue.

4.3 Eastbourne Borough Council participates in regular East Sussex LDF Officer Group meetings, which includes all local authorities in East Sussex, plus Brighton and Hove, and the South Downs National Park Authority. These meetings of lead planning policy officers are used to discuss strategic issues that affect more than one local authority, such as transport, waste, environment and biodiversity and provision for gypsies and travellers.

4.4 There have been on-going discussions with the South Downs National Park to discuss the issue of the relationship of the urban area of Eastbourne to the adjoining part of the Park within Eastbourne Borough. There will also be ongoing co-operation on matters such as strategic open space, landscape character assessment, and local housing requirements.

4.5 Eastbourne Borough Council also participates in regular East Sussex Infrastructure Delivery Groups and CIL working groups, which includes all local authorities in East Sussex and the South Downs National Park Authority. The purpose of these meetings are to co-ordinate information gathering from infrastructure providers to ensure that information being given to each authority is consistent, and to advise on the development of Infrastructure Delivery Plans and implementation of Community Infrastructure Levy (CIL).

Co-operation in the preparation of the Core Strategy

4.6 At the Preferred Options stage in the production of the Core Strategy, a series of background papers were prepared on a number of different topics. Stakeholders were invited to be part of the working groups that prepared these background papers, and this included other local authorities and public bodies. These were Wealden District Council (Housing paper), East Sussex County Council (Housing, Employment and Transport papers), Environment Agency (Housing and Natural Environment papers) and Highways Agency (Housing paper).

4.7 The Core Strategy Spatial Development Options were subject to targeted confidential consultation with key partner organisations to seek their input and co-operation before the documents were published for public consultation. These key partner organisations included Wealden District Council, East Sussex County Council, the Environment Agency, the Highways Agency, Southern Water, South East Water, South East England Partnership Board, Government Office for the South East, and the Mobile Operators Association.

4.8 As key stakeholders, all relevant local authorities and public bodies were contacted and invited to submit representations during statutory consultation on all planning policies document that form part of the LDF.

Co-operation in the preparation of the Town Centre Area Action Plan

4.9 The Town Centre Area Action Plan Issues and Options stage, and Proposed Submission stage, was subject to extensive consultation. A range of letters detailing the consultation was sent out to various organisations, businesses and the general public, as well as Public Notices and press releases in the local newspaper.

4.10 Key stakeholders were invited to presentations, which included interactive workshops, to seek their input and co-operation. Presentations were also given to community groups, including 3VA, Disability Involvement Group, Town Centre Management Initiative, Eastbourne Strategic Partnership, Chamber of Commerce, Youth Forum, Eastbourne Hospitality Group and the Community Environment Partnership for Eastbourne.

4.11 As key stakeholders, all relevant local authorities and public bodies were contacted and invited to submit representations during statutory consultation on the Town Centre Area Action Plan.

Evidence studies

4.12 Eastbourne Borough Council has commissioned various reports from consultants which feed into the evidence base for the LDF. A number of these evidence studies were carried out jointly with Wealden District Council where the issue was strategic and crossed the administrative boundary.

4.13 Strategic Housing Market Assessment was jointly commissioned by Eastbourne Borough Council and Wealden District Council to better understand the structure of the housing market operating across Eastbourne and the southern area of Wealden, and the housing demand, need and supply in order to plan for the future. The SHMA identifies the extent of the Housing Market Area using patterns of household and travel to work movements and the level of self-containment demonstrated in each. It also identifies that the stock of dwellings within Eastbourne is biased towards smaller homes, but when the market area of Eastbourne and South Wealden is considered together, the stock of the two areas is complementary because of the high proportions of larger detached and semi detached homes in South Wealden, which creates a balanced housing market. The SHMA provides an evidence base for the development of housing policies within Eastbourne's and Wealden's LDFs.

4.14 The SHMA highlighted the importance of maximising affordable housing delivery, so a Financial Viability of Affordable Housing Assessment was commissioned jointly by Eastbourne Borough Council and Wealden District Council, although each local authority received bespoke reports relating to their area.

4.15 The Eastbourne and Hailsham Triangle Economic Blueprint was commissioned jointly by Eastbourne Borough Council, Wealden District Council and East Sussex County Council. The Eastbourne-Hailsham Triangle, which covers Eastbourne Borough Council and the southern part of Wealden District Council, has been identified within the South East Plan as an area with potential for economic and social regeneration, including the provision of employment space and associated housing in sustainable and strategically accessible locations along the A22 corridor. The Blueprint advises on how best to achieve a “step change” in economic performance to underpin regeneration. This advice forms part of the evidence base for the Local Development Frameworks (LDFs) for Eastbourne Borough and Wealden District.

4.16 The Employment Land Review was commissioned jointly by Eastbourne Borough Council and Wealden District Council. For the Eastbourne and South Wealden area, the ELR provides an audit of land already identified for employment, and assesses how much land will be required for employment during the plan period across the whole of the study area. The study also informs and provides evidence for the development of other policies relating to employment land in Eastbourne’s and Wealden’s LDFs.

4.17 South Wealden and Eastbourne Transport Study was commissioned jointly between Eastbourne Borough Council, Wealden District Council and East Sussex County Council. The Transport Study forecast future highway demand and assessed the highways impacts of a range of development options for Eastbourne and South Wealden in order to advise on whether housing growth could be accommodated within the existing highways network, and identify a range of packages of transport measures required in order to accommodate future highway demand. The study was guided by a steering group that also included the Highways Agency and South East England Partnership Board (which has now been disbanded).

4.18 The Strategic Flood Risk Assessment (Level 1 and Level 2) was commissioned jointly between Eastbourne Borough Council and Wealden District Council. The SFRA Level 1 identifies the extent of the flood zones across both authorities in order to allow the application of the Sequential test, and advises on suitable policies to address flood risk management in a consistent manner across both administrative areas, in order to provide an evidence base to inform Eastbourne’s and Wealden’s LDFs. The SFRA Level 2 identifies the risk of flooding to inform the exception tests for development that cannot be located in a lower flood risk zone.

Infrastructure

4.19 Some of the most significant discussions have taken place between Eastbourne Borough Council and authorities with special responsibility for certain technical or infrastructure issues during the preparation of the Infrastructure Delivery Plan.

4.20 East Sussex County Council is a particularly significant partner, and wide-ranging co-operation has taken place regarding issues such as school provision, library services, adult social care facilities, public transport provision, cycling and highways improvements.

4.21 Discussion has taken place with East Sussex County Council regarding improvements to road infrastructure including roads and key junctions across Eastbourne & South Wealden. Discussion has also taken place regarding Highways Agency improvements to the trunk road network north of the Borough in the southern part of Wealden District, which will be required to cater for increased levels of growth. Financial contributions may be required from both South Wealden and Eastbourne, and contributions sought in Wealden District could be used to improve key roads into and out of the Borough and major junctions.

4.22 Eastbourne Borough Council has been co-operating with Wealden District Council on a range of other cross-boundary infrastructure issues including the provision of new facilities at Langney Shopping Centre, which would serve the catchment of new development in South Wealden, and the extension of Willingdon Secondary School, which could provide an alternative means of addressing some of the forecast shortfall in secondary school places in the Eastbourne-Willingdon/Polegate area. There has also been discussion with Wealden regarding the effective delivery of a Green Network Plan to ensure that the identified Green Network Corridors link with the adjoining green spaces and green networks in Wealden District Council's jurisdiction.

4.23 There has been co-operation with the East Sussex Downs and Weald Primary Care Trust (PCT) regarding GP surgeries, dentists and hospital services, the Environment Agency regarding flood storage compensation, and Natural England regarding the green corridors and the creation of a green network. Discussion and information was also shared with Sussex Police, East Sussex Fire and Rescue, and South East Coast Ambulance Service.

4.24 Discussions have also been held with non-public sector service providers. Discussions with Southern Water have identified that an extension of Eastbourne's Wastewater Treatment Works is likely to be required to meet growth in both Eastbourne and South Wealden. The Council is working closely with Southern Water and Wealden District Council to ensure the appropriate capacity at the Wastewater Treatment Works is provided, and that further alternative solutions are provided in South Wealden for further residential growth outside of Eastbourne's boundary.

4.25 Other non-public sector service providers that have been involved in the production of the Infrastructure Delivery Plan include the National Grid, UK Power Networks, Scotia Gas Networks, South East Water and Network Rail.

4.26 Eastbourne Borough Council and other authorities in East Sussex including the County Council are commissioning a study to assess the financial viability of implementing CIL across the County in order to address issues relating to the provision of cross-boundary infrastructure.

5.0 Summary

5.1 Eastbourne Borough Council has had a high level of co-operation with other authorities and public bodies, particularly Wealden District Council and East Sussex County Council, and has participated in a number of joint projects. This approach has resulted in a robust and solid evidence base for the Eastbourne Plan: Core Strategy and the Town Centre Area Action Plan, which is reflected in the very largely positive reception the two Plans have received from bodies featured in this document. Eastbourne Borough Council are not aware of any fundamental objections to overall soundness by district or county councils in or adjoining Eastbourne (as reflected in public representations or subsequent discussions).

5.2 For future co-operation, Core Strategy Policy E1: Infrastructure Delivery sets out the Council’s commitment to continue to work closely with public agencies, utility companies and infrastructure providers to ensure that the necessary infrastructure is available or will be provided to support future housing and employment development.

5.3 The tables below summarise how Eastbourne Borough Council has co-operated with other authorities and public bodies in the preparation of the Core Strategy and Town Centre Area Action Plan.

Table 1. Core Strategy – Summary of Co-operation

Organisation	Nature of Co-operation
Wealden District Council	<ul style="list-style-type: none"> • Continuous informal discussion and statutory consultations • Engagement at LDF Officers Group • Engagement at County Infrastructure Delivery Group and CIL working group • Participation in Core Strategy Background Papers • Targeted consultation on Spatial Development Options • Joint evidence studies • Discussions regarding infrastructure provision
East Sussex County Council	<ul style="list-style-type: none"> • Continuous informal discussion and statutory consultations

	<ul style="list-style-type: none"> • Engagement at LDF Officers Group • Engagement at County Infrastructure Delivery Group and CIL working group • Participation in Core Strategy Background Papers • Targeted consultation on Spatial Development Options • Joint evidence studies • Discussions regarding infrastructure provision
South Downs National Park Authority	<ul style="list-style-type: none"> • Continuous informal discussion and statutory consultations • Engagement at LDF Officers Group • Engagement at County Infrastructure Delivery Group and CIL working group
Environment Agency	<ul style="list-style-type: none"> • Statutory consultation • Participation in Core Strategy Background Papers • Targeted consultation on Spatial Development Options • Involvement in the Strategic Flood Risk Assessment • Discussions regarding infrastructure provision
Highways Agency	<ul style="list-style-type: none"> • Statutory consultation • Participation in Core Strategy Background Papers • Targeted consultation on Spatial Development Options • Discussions regarding infrastructure provision
Primary Care Trust	<ul style="list-style-type: none"> • Statutory consultation • Discussions regarding infrastructure provision
Natural England	<ul style="list-style-type: none"> • Statutory consultation • Discussions regarding infrastructure provision

Table 2. Town Centre Area Action Plan – Summary of Co-operation

Organisation	Nature of Co-operation
Wealden District Council	<ul style="list-style-type: none"> • Statutory consultations • Joint evidence studies • Discussions regarding infrastructure provision
East Sussex County Council	<ul style="list-style-type: none"> • Continuous informal discussion and statutory consultations • Participation in project group preparing the

	<p>Proposed Submission AAP</p> <ul style="list-style-type: none"> • Joint evidence studies • Discussions regarding infrastructure provision
South Downs National Park Authority	<ul style="list-style-type: none"> • Statutory consultation
Environment Agency	<ul style="list-style-type: none"> • Statutory consultation • Involvement in the Strategic Flood Risk Assessment • Discussions regarding infrastructure provision
Highways Agency	<ul style="list-style-type: none"> • Statutory consultation • Discussions regarding infrastructure provision
Primary Care Trust	<ul style="list-style-type: none"> • Statutory consultation • Discussions regarding infrastructure provision
Natural England	<ul style="list-style-type: none"> • Statutory consultation • Discussions regarding infrastructure provision