



Notice of Non-key Executive Decision

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| Subject Heading: | Strategic Transport Issues Statement of Common Ground |
| Cabinet Member: | Councillor Osman Dervish – Lead Member for Environment and Community Safety |
| SLT Lead: | Steve Moore – Director of Neighbourhoods |
| Report Author and contact details: | Daniel Douglas Transport Planning Team Leader Development and Transport Planning Group daniel.douglas@havering.gov.uk 01708 433220 |
| Policy context: | Approved Local Implementation Plan (2012) Havering Local Plan – Draft for Consultation (2017) |
| Financial summary: | There are no financial implications |
| Relevant OSC: | Environment |
| Is this decision exempt from being called-in? | No |

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The subject matter of this report deals with the following Council Objectives

| | |
|-------------------------------|-----|
| Communities making Havering | [x] |
| Places making Havering | [x] |
| Opportunities making Havering | [x] |
| Connections making Havering | [x] |

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

That the Director of Neighbourhoods formally signs the Strategic Transport Issues Statement of Common Ground as set out in Appendix One and that this is attached as an *Annex* to the Duty to Cooperate Statement 2017 ahead of being submitted to the Planning Inspectorate as a supporting document to the Local Plan.

AUTHORITY UNDER WHICH DECISION IS MADE

3.3 Powers of Members of the Senior Leadership Team

Members of the Senior Leadership Team (SLT) have delegated authority to act as follows within the assigned service/Portfolio of responsibilities subject to the general provisions and limitations set out in section 3.1 above.

General Powers

- (a) To take any steps necessary for proper management and administration of allocated portfolios.
- (b) To exercise all the powers delegated to them personally and those powers delegated to Second Tier Managers and other staff members in their directorate where circumstances require and so far as legally permissible. Exercise of such powers should be recorded where appropriate. Where possible, a SLT member should give notice to a relevant staff member that he or she intends to exercise a specified power that is delegated to that staff member.
- (c) Cabinet report dated 19/07/2017 approving submission of the Local Plan to the Secretary of State included the following delegation, and the document list includes the submission of the Duty to Co-operate:
 - I. Delegate authority to the Director of Neighbourhoods, following consultation with the Cabinet Member for Housing, to finalise and approve the proposed Submission Documents, as set out in 2(i) above for submission to the Secretary of State;

STATEMENT OF THE REASONS FOR THE DECISION

Background

1. As part of their responsibilities under the statutory Duty to Cooperate (DtC) process, London Borough of Havering, Basildon Borough Council, Brentwood Borough Council, and Thurrock Council, as well as Essex County Council, Highways England (HE) and Transport for London (TfL) have held a series of discussions concerning strategic transport related cross boundary matters arising in the preparation of their respective local plans.
2. The transport discussions with neighbouring Councils and interested bodies identified a key cross boundary issue relevant to each authority's respective Local Plan. Specifically the impact of significant housing and wider development pressures faced by both east London Boroughs and District and Unitary authorities in Essex over the next 20 years on the strategic Highway and Transport Networks and the resultant associated transport implications.
3. During these discussions, it was recognised by all authorities that the impact of growth pressures on the wider Highway and Transport Network are strategic in nature and require collaborative working at a sub-regional level in order to be addressed.
4. It was agreed that a Transport SoCG would be agreed between relevant authorities setting out strategic cross boundary transport issues. Local authorities agreed these issues would continue to be discussed and resolved outside of the normal local plan process. An important reason for doing this is to ensure that progress on the preparation of the Local Plans of the authorities is not compromised.
5. The Transport SoCG (Appendix One) addresses several transport themed topics (see below) and details how the participating authorities will work collaboratively to address the identified issues.
6. The Transport SoCG has been agreed between the London Borough of Havering, Essex County Council, Brentwood Borough Council, Basildon Borough Council, Thurrock Council, Castle Point Borough Council, Rochford District Council, Southend on Sea Borough Council and Highways England.
7. A copy of the Transport SoCG can be found in Appendix One.
8. The Transport SoCG agrees that participating authorities will work together on the following strategic transport issues:
 - **A127 Corridor between Gallows Corner and Southend** – Looking at the impact Local Plan growth will have on this corridor and how respective boroughs will accommodate this.
 - **Lower Thames Crossing** – Project to be discussed at future cross-boundary

liaison meetings given its strategic importance to the wider region.

- **Communicating works** - Where cross boundary works are going to take place, this information will be communicated to the relevant neighbouring highway authorities and disseminated to neighbouring districts too, if needed.
- **Junctions 28 of the M25** – Scheme has been discussed at Duty to Cooperate (DtC) meetings and participating Local Authorities agree to work with Highways England as capacity improvement proposals are developed.
- **Junction 29 of M25** – Participating authorities recognise this as a key strategic junction and because of the level of growth expected in the vicinity of junction 29 this will continue to get discussed at inter borough meetings.
- **Transport Evidence supporting Local Plans** - Each participating authority will continue to share and discuss their Local Plan evidence base as part of DtC obligations and ongoing dialogue alongside the Local Plan process.
- **Public Transport Links and capacity improvements** – Participating local authorities will work together to joint lobby for public transport improvements.

9. The Transport SoCG also concludes that:

- On the cross boundary matter of strategic transport, compliance under DtC has been met satisfactorily.
- All parties remain committed to continue to work together outside the Local Plan process on strategic transport matters.

Next Steps

10. Havering Officers are coordinating the formal “sign off process” of the SoCG between the participating authorities. At the time of writing this report, formal sign off of the Transport SoCG has been received from Essex County Council, Brentwood Borough Council, Basildon Borough Council, Rochford District Council, Castle Point Borough Council and Southend on Sea Borough Council.
11. Officers are still waiting to receive formal sign off from Highways England, and Thurrock Council. Officers are also liaising with the Greater London Authority (GLA) and Transport for London (TfL) to establish whether they would be prepared to formally “endorse” the Transport SoCG.
12. Subject to the Transport SoCG being signed by the Director of Neighbourhoods, the formally agreed Transport SoCG will be formally provided to each of the participating Local Authorities.
13. The Council is required to demonstrate evidence of having effectively co-operated with Duty-bodies to plan for issues with cross-boundary impacts throughout the preparation of the Local Plan. A Duty to Cooperate Statement

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has been prepared to set out how this has been achieved and will be submitted to the Planning Inspectorate as a supporting document to the Local Plan.

14. It is therefore intended that the Transport SoCG will be attached as an "annex" to the Duty to Cooperate Statement ahead of the Local Plan submission to the Planning Inspector later this year.

15. The Transport SoCG has been developed as part of the DtC process, it is therefore more appropriate for this agreed document to be included as an annex to the Duty to Cooperate Statement and not as part the Local Plan itself.

OTHER OPTIONS CONSIDERED AND REJECTED

The option of not signing up to the Transport SoCG was rejected as this could have implications for Havering's obligations under the DtC process. In particular, it could jeopardise the progress on the Havering local Plan as issues linked to strategic matters may need to be considered and resolved at the Examination.

PRE-DECISION CONSULTATION

None

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Daniel Douglas

Designation: Transport Planning Team Leader

Signature: 

Date: 13/11/2017

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Transport Statement of Common Ground (SoCG) is an agreement between participating authorities to continue to work together on a number of strategic transport issues alongside the Local Plan process. It is not a legally binding contract. The intention of Council officers is to include the Transport SoCG as an addendum to the Duty to Cooperate consultation document and therefore provides part of the supporting documentation to the Inspectorate on the Local Plan. The Transport SoCG only relates to transportation matters as reflects cross-boundary issues.

The risk of legal challenge will be avoided if Havering's Local Plan meets the objectively assessed needs of the Borough and the evidence is consistent with and has regard to the statutory framework and the requirements of the National Planning Policy Framework that include the Duty to Co-operate, s33A of the Planning and Compulsory Purchase Act 2004 (Local Development).

The Duty to Co-operate is a legal test that requires co-operation between local planning authorities and other public bodies to maximise the effectiveness of policies for strategic matters in Local Plans. It is separate from but related to the Local Plan test of soundness. The test of soundness, is set out in full in the National Planning Policy Framework (paragraph 182), assesses whether the Local Plan is:

positively prepared;
justified;
effective; and
consistent with national policy.

Cleared by email 09/11/2017

FINANCIAL IMPLICATIONS AND RISKS

There are no financial implications resulting from this decision.

Cleared by email 31/10/2017

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

The Statement of Common Ground will commit officers to continue to meet with participating authorities to discuss strategic transport issues as part of the "day to day" job. It will not have adverse Human Resource implications.

Cleared by email on 23/10/2017

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

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The Statement of Common Ground commits participating local authorities to joint lobbying for better public transport links. This will include improving accessibility at rail and London Underground stations, improving north south links and better cross boundary bus links.

Cleared by email on 06/10/2017:

BACKGROUND PAPERS

None

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.


Decision

Proposal agreed

Delete as applicable

~~Proposal NOT agreed because~~

Details of decision maker

Signed 

Name: Steve Moore – Director of Neighbourhoods

CMT Member title: Steve Moore Director of Neighbourhoods

Head of Service title: Chris Hilton Assistant Director for Development

Other manager title: Martyn Thomas Development and Transport Planning Group Manager

Date: 13-11-17

Lodging this notice

The signed decision notice must be delivered to the proper officer, Andrew Beesley, Committee Administration & Interim Member Support Manager in the Town Hall.

For use by Committee Administration

This notice was lodged with me on 15/11/2017.

Signed 

Appendix One

Statement of Common Ground (SoCG) between the London Borough of Havering, Essex County Council, Brentwood Borough Council, Basildon Borough Council, Thurrock Council, Castle Point Borough Council, Rochford District Council, Southend on Sea Borough Council and Highways England.

Subject: Strategic Transport Issues

September 2017

Introduction

This Statement of Common Ground (SoCG) has been prepared jointly between the London Borough of Havering, Essex County Council, Brentwood Borough Council, Basildon Borough Council, Thurrock Council, Castle Point Borough Council, Rochford District Council, Southend on Sea Borough Council and Highways England. The purpose of this SoCG is to inform the Planning Inspectors and other parties of the agreed way forward on any issues that remain outstanding at the point of Local Plan submission. This SoCG focusses on the impact cross-boundary growth will have on strategic routes including the A127 and details how the participating authorities will work collaboratively to address the identified issues.

Background

As part of a Local Authority's responsibilities under the statutory Duty to Cooperate (DtC), London Borough of Havering, Basildon Borough Council, Brentwood Borough Council, and Thurrock Council, (local plan areas) as well as Essex County Council, Highways England (HE) and Transport for London (TfL) have held a series of discussions concerning strategic cross boundary matters in the preparation of the respective local plans.

The discussions have come in the form of face to face meetings and workshops held at respective Local Authority Offices, as well as written correspondence.

These meetings have been held to ensure that neighbouring authorities are properly consulted and have been kept fully informed with how each authority Local Plan has, and is, progressed. All authorities have found these discussions valuable and productive and there is a welcome and ongoing commitment to continue this dialogue throughout the Local Plan preparation process to assist in the delivery of each of the local plans.

Strategic Cross Boundary Matters

This engagement has identified a key cross boundary issue relevant to each authority's respective Local Plan. Specifically the significant housing and

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wider development pressures that both east London Boroughs and District and Unitary authorities in Essex are facing over the next 20 years and the impact such growth pressures will have on the strategic Highway and Transport Networks and the associated transport implications resulting from this.

Discussions on these matters have taken place on the following dates:

| Date | Attendees | Topics discussed |
|-------------------------------|--|--|
| 19 th January 2017 | Essex County Council, London Borough of Havering, Highways England, Transport for London | Update on Havering Local Plan, Havering Transport evidence base and discussion on Essex County Councils highway comments |
| 22 nd March 2017 | Essex County Council, London Borough of Havering, Basildon Borough Council, Brentwood Borough Council, Thurrock Council (Highways England invited but unable to attend). | Update on respective Local Plan progress, discussion around collaborative working to address outstanding strategic transport matters and drafting Statement of Common Ground |
| 27 th April 2017 | Essex County Council, London Borough of Havering, Basildon Borough Council, Brentwood Borough Council, Rochford District Council, Thurrock Council (Highways England, Castle Point Council, Southend on Sea Borough Council invited but unable to attend). | To discuss wider A127 Corridor from Gallows Corner to Southend. TfL presented High Level Outcome Study on Gallows Corner to Jct 29, Essex County Council presented work carried out on A127 Options Assessment and funded schemes in progress. |

Local Plan - Growth Requirements

The Growth requirements for the Local Plans concerned comprise:

- The London Plan:

For London Boroughs including Havering, housing growth requirements are set by the Mayor (via the London Plan) and are also informed by an up to date Outer North East London Strategic Housing Market Assessment (SHMA) covering the period 2011 to 2033.

- South Essex SHMA:

For Southend and Thurrock Unitary Councils and Basildon BC, Castle Point BC and Rochford DCs, future housing requirements have been identified

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within the South Essex SHMA (May 2016 and June 2017 Addendum) covering the period 2014 – 2037.

- Brentwood BC:

Housing requirements for Brentwood BC have been identified within the Brentwood SHMAA (2014) covering the period 2013- 2033.

Highway and Transportation Matters

Responsibility for the planning, operation and maintenance of the highway network across the Havering/Essex/Thurrock and Southend region is complex, with different organisations acting as the Highway Authority for different sections of the network. Within Havering, Transport for London (TfL) are responsible for the operation and maintenance of the major arterial roads (A12, A13 and A127), whilst LB Havering are responsible for its Strategic Road Network (the other A roads in the borough that are not the Transport for London Road Network (TLRN) and minor roads.

Responsibility for the highway network within Greater Essex is split between Essex County Council (in the two tier areas of Basildon BC, Brentwood BC, Castle Point BC and Rochford DC) and the Unitary Authorities of Thurrock and Southend Councils for their respective areas. Highways England (HE) has responsibility for a small section of the A13, the A12 and the M25. The M25 is operated under a Design Build Finance and Operate contract (DBFO) by Connectplus.

During Local Authority discussions, particular concern has focussed on the impact that cross-boundary growth will have on strategic routes including the A127, a strategic corridor between Gallows Corner in LB Havering and extending out east to Southend going through the districts of Brentwood BC, Basildon BC, Castle Point BC, Rochford DC and the Unitary Authority of Southend.

The A127 Corridor is governed by three Highway Authorities (TfL, Essex CC and Southend on Sea BC). Similar concerns have been raised regarding the A13, which similarly crosses a number of local authorities and highway authorities including TfL, London Borough of Barking and Dagenham, Thurrock Council, Basildon Council, Castle Point Council and Southend Council.

It has also been discussed that the A127 spans two Local Enterprise Partnership (LEP) areas; London Economic Action Partnership and South East LEP. This is regarded by all Boroughs and Essex CC as an issue that will benefit from better cooperation as strategic highway funding available from the LEP budgets needs to be coordinated to ensure it has better potential to improve the capacity of the entire route.

The current A127 Route Management Strategy the "A127-Corridor-for-Growth-An Economic Plan March 2014" jointly prepared by Essex CC and

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Southend on Sea BC Highways Authorities is being “refreshed” with an Issues and Options assessment report. In the longer term it is intended to extend the reports to include Gallows Corner and LB of Havering.

This issue has been discussed extensively and positively between the Local Authorities through the DtC process.

Each Local Authority recognises that despite the preparation of their respective planning strategies there is a level of uncertainty of the impact that planned growth within each Local Authority boundary will have on local transport infrastructure and that it is not feasible to simply measure the transport impact resulting from growth from one individual Local Authority.

Each local authority in this dialogue also acknowledges that the issues around catering for growth and the impact this has on strategic transport infrastructure such as key arterial roads are sub-regional issues. Local Authorities also recognise that understanding the impact and addressing it can only be done effectively at a sub-regional level. Addressing these concerns will require collaboration with a number of different authorities and organisations.

Agreed areas for Collaborative Working between the Local Authorities

Following earlier meetings and discussions a “*Local Plan Issues – Way Forward*” meeting was held on Wednesday 22nd March 2017. This was attended by representatives from LB Havering, Thurrock Council, Essex CC, Basildon BC, Brentwood BC as well as TfL and the Greater London Authority (GLA).

At this meeting all Local Authorities in attendance made clear the importance of reaching a consensus on how outstanding concerns around the impact growth would have on the highway network would be dealt with going forward. It was also recognised that each Local Authority has their own timescales for delivering their Local Plans which need to be supported.

It was agreed that relevant Local Authorities would continue to work together alongside the process of progressing and delivering their Local Plans to satisfy concerns raised on the impact growth will have on the transport network and that going forward such discussions must be held at a sub-regional level.

Relevant authorities have agreed to work together on a number of strategic transport issues.

This includes:

- A127 Corridor between Gallows Corner and Southend – What impact will respective Local Plan growth have on this key corridor and what measures can be put in place to accommodate it? Local Authorities held an *A127 Growth Corridor Liaison Meeting* on 27th April to share

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what work has already been done to date looking at the impact growth will have on different sections of the A127 and further meetings will be held between Local Authorities. This was attended by TfL, LB Havering, Brentwood BC, Basildon BC, Essex CC and Rochford DC, and the following authorities were invited, but were unable to attend Castle Point BC, Southend on Sea BC and Thurrock Council. The authorities want to work together to potentially create a Promotion document which can be used to raise the profile of the A127 corridor and to support bids for funding to deliver improvement schemes along this key route, which spans two LEP areas.

- Lower Thames Crossing – The government have recently announced their preferred option for a Lower Thames Crossing which involves an additional tunnel crossing (east of Tilbury and Gravesend) and would join the M25 motorway at a new junction between junctions 29 and 30 of M25 (A127 and A13 respectively). The full transport implications of the Lower Thames crossing are at this stage unclear with Highways England now embarking on further assessment work on the preferred option. Relevant Local Authorities will continue to work with Highways England through Stakeholder Advisory Panel Meetings. This will also be a standing item for discussion at future cross-borough liaison meetings and will need to be taken into account when looking at the impact of growth on the highway network.
- Communicating Works – The need for better communication around works taking place on the carriageway close to borough boundaries. This issue was discussed at the *A127 Growth Corridor Liaison Meeting* held on 27th April attended by TfL, LB of Havering, Brentwood BC, Basildon BC, Essex CC (including representatives from the EssexHighways NRSWA permit team) and Rochford DC. The Highway Authorities agreed at this meeting going forward that where cross- boundary works were going to take place, this information would be communicated to the relevant neighbouring highway authorities and disseminated to neighbouring districts too, if needed.
- Improvements to Junction 28 of M25 – Highways England are proposing capacity improvements to junction 28 of the M25 both to increase capacity and improve safety. An initial consultation has been carried out and a Preferred Route Announcement was published by Highways England on 22nd August 2017. Relevant Local Authorities continue to liaise with Highways England on the proposals and the issue has been discussed between boroughs at Duty to Cooperate meetings.

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- Improvements to Junction 29 of M25 – Junction 29 of the M25 acts as a gateway both into London (and specifically Havering) and further east towards Southend along the A127. The junction itself straddles several Highways and Local Authorities including Transport for London, Essex County Council and Havering and Brentwood Councils'. It is recognised as a key strategic junction and given the level of expected growth in the area will continue to be discussed as a cross-boundary issue at future inter boroughs meetings.
- Transport Evidence supporting Local Plans – Each Local Authority is developing its own transport evidence base to support their Local Plan. Such evidence will be shared and discussed between Local Authorities as part of Duty to Cooperate obligations and ongoing dialogue alongside the Local Plan process.
- Public transport links and capacity improvements – It has been recognised during Duty to Cooperate discussions to date that improving alternative options to the car will be important in accommodating growth expected over the lifetime of the Local Plan. Whilst the responsibility for improving rail capacity falls with Network Rail and Train Operating Companies (via Government franchise specifications) local authorities will work together to lobby for improvements.

Conclusions

Given the above position, London Borough of Havering, Essex County Council, Brentwood Borough Council, Basildon Borough Council, Castle Point Borough Council, Rochford District Council, the unitary authorities of Southend on Sea Borough Council and Thurrock Council, and Highways England agree that in respect to each authority's emerging Local Plans and the specific cross boundary matter of Strategic Transport, compliance with the obligations under Duty to Co-operate have been met satisfactorily.

All Local Authorities acknowledge that the Duty to Cooperate is not just a mechanism for cross-borough engagement during a Local Plan process. It is an ongoing activity that will continue beyond individual boroughs submissions, and eventual adoption of a Local Plan. All parties remain committed to continue to work together outside of the Local Plan process on these important strategic matters.

Non-key Executive Decision

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| Signed on behalf of the London Borough of Havering | | |
| Name & position | Signature | Date |
| STEVE MOORE DIRECTOR OF NEIGHBOURHOODS |  | 13-11-17 |

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|--|-----------|------|
| Signed on behalf of the Essex County Council | | |
| Name & position | Signature | Date |
| | | |

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|--|-----------|------|
| Signed on behalf of Basildon Borough Council | | |
| Name & position | Signature | Date |
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| Signed on behalf of Brentwood Borough Council | | |
| Name & position | Signature | Date |
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| Signed on behalf of the Thurrock Council | | |
| Name & position | Signature | Date |
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| Signed on behalf of Highways England | | |
| Name & position | Signature | Date |
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| Signed on behalf of Castle Point Borough Council | | |
| Name & position | Signature | Date |
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| Signed on behalf of Rochford District Council | | |
| Name & position | Signature | Date |
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| Signed on behalf of the Southend on Sea Council | | |
| Name & position | Signature | Date |
| | | |



**PROCESS SHEET FOR ALL
LEADER'S BRIEFING AND CABINET
REPORTS TO MEMBERS**

REPORT SUBJECT

Strategic Transport Issues Statement of
Common Ground

MEETING AND DATE

N/A

DEPARTMENT

Development and Transport Planning

CHECKED FOR ACCURACY:

Daniel Douglas
Transport Planning Team Leader
Development and Transport Planning
Group

CHECKED FOR LEGAL ASPECTS:

Catherine Knight
Interim Principal Lawyer – Planning
One Source

CHECKED FOR FINANCIAL ASPECTS:

Hayley O'Brien
Strategic Finance Business Partner
One Source

**CHECKED FOR HUMAN RESOURCES
IMPLICATIONS:**

Geraldine Minchin
Strategic HR Partner
One Source

CHECKED FOR IT IMPLICATIONS (if necessary)

N/A

Is an equality Impact Assessment required for the proposals contained in this report (if so, it has been undertaken, is reflected in the report and is listed as a background paper)

No

SIGNED

Author of Report or Head of Service(if author):

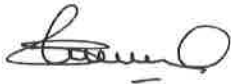


Date 14/11/2017

Daniel Douglas – Transport Planning Team Leader

READ AND APPROVED BY

Group Director



Date: 14/11/2017

Steve Moore – Director of Neighbourhoods

Date and time received by Democratic Services