

Collaboration and Cooperation on Climate Change Briefing Note

Purpose of this paper

This briefing paper provides an insight into good practice on activity between authorities as well as within; a view on what the new duty to cooperate could mean; observations on staffing arrangements for dealing with climate change; and some examples of joint plans.

Activity between authorities

Rushmoor BC, Hart DC and Basingstoke and Deane BC commissioned a joint evidence base study¹. Each authority was at a similar stage in preparation of its LDF and there was a good history of previous joint working. This approach provided some advantages:

- It enabled LPAs to pool their resources and ideas, share their expertise and provided a source for checking and reaffirming planning officers' understanding of issues as they emerged during the study ('three heads are better than one').
- It reflected the broader context of energy supply infrastructure which extends beyond local authority boundaries.
- It provided a lower cost route for procuring the study.

However, there are also some disadvantages in shared studies:

- Each local authority has its own arrangements for managing information e.g. different GIS systems and data sets (some GIS information is available nationally regarding environmental constraints at www.magic.gov.uk).
- A lack of harmonisation in background information e.g. differences in the currency of Housing Stock Condition Surveys.
- The study takes longer.

Two important stages in the process were the stakeholder workshops. These involved the LSP, Members, Environment Agency, landscape officers, the regional planning body and stake holders from local environmental organisations:

- The first workshop enabled information gathering and provided the opportunity for the consultants to gain an understanding of local visions for the study area.
- Second workshop provided feedback on the study and potential policy approaches.

Developers and landowners were not invited to these workshops as their views would be sought through later consultation stages.

The outputs of the study were:

- Energy opportunities plans – identified existing and potential heat anchor sites, energy resources, major opportunities for community energy schemes (incl. major development sites).

¹ This was reported to the national Responding to Climate Change Supported Learning Group in January 2010; see <http://www.planningofficers.org.uk/Planning-Officers-Society-Members/POS-Members-Supported-Learning-Groups/Responding-to-Climate-Change/>

- Energy profiles– providing a locally distinctive energy profile of each borough based on predicted heat and electricity demands by 2020 (including expected growth).
- Evidence for policies relating to:
 - Renewable Energy.
 - Sustainable Construction.
 - Reduced CO2 Emissions.
 - Consequential Improvements to Existing Homes.
- Possibility of setting up a carbon buy-out fund to generate revenue for new low carbon energy infrastructure. This would set a price per tonne of residual carbon emissions (along the lines proposed by government in its Zero Carbon Homes consultation).

At the time of reporting to the national R2CCSLG, in January 2010, the financial modelling had not yet been completed and had revealed complex interactions between costs of on-site provision and contributions to a carbon buy-out fund. There was the possibility of establishing arrangements for joint collection of development contributions into a shared fund to operate across the 3 LPAs.

Rushmoor Council was investigating consequential improvements to existing stock based on the approach taken by Uttlesford district. It was proposed to apply to household applications where proposals are to extend the heated volume of a dwelling and would require improvements to insulation (lofts/cavity walls etc) up to a capped limit of 10% of build cost of proposed extension. In commenting on the suggested approach a Senior Inspector (PINs) urged care in approaching this type of policy proposal, as it would be necessary to demonstrate this would meet the relevance test in Circular 11/95. Attention was drawn to the briefing note previously sent to the national SLG on Uttlesford² which stressed that it had sought to achieve consequential improvements through negotiation.

The six local planning authorities in the South Pennines, namely Burnley, Bury, Calderdale, Kirklees, Rochdale and Rossendale, commissioned a landscape capacity study for wind energy developments in the South Pennines. The overall aim of the work was to provide a sound evidence base for the production and monitoring of the Local Development Frameworks in the six districts. The brief for the study indicated that it should provide baseline information and assessments but not policy development.

The final report³ assessed the contribution that the landscape of the study area could make to meeting renewable energy targets; compiled a baseline of existing and programmed wind energy developments by type and by district; reviewed existing landscape character assessments and landscape capacity studies for wind energy development; developed and applied a methodology for assessing landscape sensitivity to and capacity for wind energy development; ground truth that assessment; provided a report and mapping to describe and justify the sensitivity and capacity assessment; and provided key landscape criteria and guidelines to assist in formulation of appropriate development proposals.

² See [http://www.planningofficers.org.uk/downloads/pdf/Briefing Note - Use of Conditions Uttlesford District Council.pdf](http://www.planningofficers.org.uk/downloads/pdf/Briefing%20Note%20-%20Use%20of%20Conditions%20Uttlesford%20District%20Council.pdf)

³ See [http://www.rochdale.gov.uk/PDF/2010-04-14 LDF Land Cap Study Wind Energy Dev South Pennines Jan 2010.pdf](http://www.rochdale.gov.uk/PDF/2010-04-14%20LDF%20Land%20Cap%20Study%20Wind%20Energy%20Dev%20South%20Pennines%20Jan%202010.pdf)

A wide range of joint studies have been/are being progressed in the North West. The table below, supplied by CLASP, summarises the position:

LPA	Evidence Base	Summary	Status
North West Development Agency	North West Renewable and Low Carbon Energy Capacity and Deployment Study Produced by SQW / Land Use Consultants	The study was development by NWDA & key stakeholders from across the region, in accordance with the energy capacity assessment methodology published by the DECC and DCLG in 2010. The study is intended to assist Local Planning Authorities in preparing planning policies on renewables, in response to the requirements of national planning policy to consider the contribution of renewable energy and low carbon initiatives and opportunities for climate change mitigation and adaptation	Published September 2010
Greater Manchester authorities	AGMA Decentralised and Zero Carbon Planning Energy Study Produced by Urbed /AECOM / Quantum Strategy & Technology	PPS1 Supplement energy capacity evidence base study: produced on behalf of the 10 Greater Manchester authorities	Published June 2010
Merseyside, West Lancashire and Warrington authorities	Liverpool City Region Renewable Energy Capacity Study - Stage 1 Report Produced by Arup	PPS1 Supplement energy capacity evidence base study: produced on behalf 8 authorities. The Stage 1 Report demonstrates that the City Region's sub-regional renewable energy targets set out in the Regional Spatial Strategy (2008) can be met	Completed December 2009
Merseyside, West Lancashire and Warrington authorities	Liverpool City Region Renewable Energy Capacity Study - Stage 2 Report Produced by Arup	PS1 Supplement energy capacity evidence base study: produced on behalf 8 authorities. The Stage 2 Report (2010) - this provides a common City Region-wide development plan policy framework. It also sets out more detailed energy evidence for each local authority, and identifies priority zones for combined heat and power and areas of potentially least constraint for wind energy development.	Completed December 2010
Knowsley	Knowsley Renewable and Low Carbon Energy Options Study Produced by Arup	PPS1 Supplement energy capacity evidence base study.	July 2009
Cumbria authorities	Cumbria Renewable Energy Study Being produced by SQW	PPS1 Supplement energy capacity evidence base study. Cumbria-wide study in conjunction with the Cumbrian District Councils and National Park Authority.	Commissioned in 2010; data collection
Cheshire East	Cheshire East Climate Change & Renewables Study Being produced by LDA Design	The project will deliver the following: <ul style="list-style-type: none"> • A map showing renewable and low carbon opportunities in the Borough. This will act as resource to support planning policy and potential energy project developers (e.g. Local Authorities, landowners and communities) and property developers. • A draft energy vision for the Borough. • A set of energy projects capable of being delivered by different project developers. • A plan of action for implementing the projects, including a recommended set of supporting planning policies 	Commissioned in 2011

Lancashire authorities	Lancashire Renewable Energy Capacity Study Being produced by SQW	Lancashire's authorities recognise the need for an up to date local evidence base and technical support. The objectives of the study are: <ul style="list-style-type: none"> To produce 14 separate local sustainable energy capacity assessment reports, using the Northwest renewable capacity and deployment study as a basis. Reports have been produced for all 12 District Councils in Lancashire plus the 2 Unitary Authorities of Blackburn with Darwen and Blackpool. Each report will also be produced as a public access version that will be promoted through each local authority. To provide further technical advice to each authority to enable greater understanding of the potential for renewable energy development. E.g. constraint scenario modelling to provide local authorities and other partners with the information they will need when responding to large scale renewable energy generation proposals in their areas 	Commissioned in 2011
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Activity within authorities

Each authority's multi-functional role allows for a coordinated approach wherein climate change should be embedded in a wide range of policy areas, such as planning and regeneration, community safety, environmental protection, transport, housing, etc⁴.

Thus, each local authority should adopt an approach that suits its particular circumstances and conditions since differences between authorities in terms of carbon emissions, related local factors, and current performance justify different priorities for action⁵.

Only 38 per cent of authorities have a nominated officer responsible for sustainable energy and climate change, and for a further 41 per cent of authorities it is the remit of a number of staff across the authority⁶.

In Luton BC individual service areas have reviewed the inherent flexibility of services in response to changes in demand and emergency situations. Job descriptions are being amended to include new responsibilities regarding management of various risks, including climate change. The Council has established a climate change team, whose work includes communicating messages about climate change and future impacts to residents, community groups, businesses, managers and staff⁷.

Hampshire County Council has established a Centre of Excellence on Climate Change Panel, responsible for reviewing and making recommendations on issues around carbon and mitigating climate change. It has also created a Comprehensive Impact Assessment (CIA)

⁴ Source: *Local Government and the Challenge of Climate Change – the emergence of the reliant local authority* http://www.psa.ac.uk/journals/pdf/5/2010/787_778.pdf

⁵ Source: *Council action to curb climate change – key issues for local authorities*, LGA July 2007 <http://www.cse.org.uk/pdf/pub1086.pdf>

⁶ Source: *LGA survey 2004*; see <http://www.lga.gov.uk/lga/aio/1097144>

⁷ Source: *Luton BC Climate Change Adaptation Action Plan* <http://www.luton.gov.uk/media%20library/pdf/environment%20%20regeneration/lbc%20climate%20change%20adaptation%20action%20plan%20march%202010.pdf>

tool for 'key decisions' which includes questions on both climate change adaptation and reducing energy/carbon⁸.

The commitment of Somerset County Council⁹ to take action to deal with the causes and effects of climate change was demonstrated through the signature of the Nottingham Declaration on Climate Change by the Leader and Chief Executive of the Council in February 2007. The council has also joined the group of leading local authorities working together to develop best practice in delivery of the UK Climate Change Programme. The Council determined to exercise the following three principal roles and functions to tackle the causes and effects of climate change:

- Community leadership.
- Provision of services.
- Management of the County Council estate.

Duty to cooperate

As part of the statutory framework for local area agreements introduced via the Local Government and Public Involvement in Health (LGPIH) Act 2007, the Government introduced a degree of coercion to the way in which partners 'co-operated' on a Local Strategic Partnership.

This 'duty to co-operate' was widely publicised at the time. It was seen as an important way of bringing to the local partnership table a range of public sector bodies and agencies that had proved reluctant or uninterested in joint working.

But the duties in the Act to consult and co-operate were framed specifically around the processes of drawing up and agreeing targets within a local area agreement. With the demise of LAAs, this duty to co-operate ceases to have any practical effect. It can no longer be used to encourage or pressure those 'partner bodies' listed in the 2007 Act to participate in LSP activity, to become involved in sustainable community strategies of joint delivery planning.

The Localism Bill, currently before Parliament, contains a new proposed duty to co-operate in relationship to the planning of sustainable development. The duty is being introduced because it is recognised that there is a need for coordination at a spatial level higher than individual local planning authorities. In particular, some elements of planning such as the provision of infrastructure to support development, will require some form of cooperation between adjoining local authorities. The duty will apply to local authorities and other public bodies involved in plan making. The Government is of the view¹⁰ that the new Duty to Cooperate will ensure that local authorities and other public bodies are involved in a continual process of active engagement to maximise the effectiveness of working on strategic planning issues and the preparation of local plans.

⁸ Source: *Hampshire's Climate Change Commission of Inquiry - Report on the response and progress of Hampshire County Council and its partners since October 2007.*
http://www3.hants.gov.uk/coi_progress_report_04.11.2008.pdf

⁹ Source: http://www.ukcip.org.uk/wordpress/wp-content/PDFs/LA_pdfs/ClimateChangeInSomerset.pdf

¹⁰ See <http://www.communities.gov.uk/documents/localgovernment/pdf/1829659.pdf>

The Planning Officers Society considers that a good way to secure meaningful cooperation would be to require a practical and measureable outcome of cooperation¹¹. POS suggests that each LPA should prepare a “Strategic Infrastructure Assessment” (SIA) that would set out strategic infrastructure priorities over a certain time-period, the process for deciding priorities – including who was involved – and funding provision. This would be the main mechanism for a co-ordinated approach to strategic planning and for LPAs to engage effectively (and transparently) with public and private sector infrastructure providers. It would also support LPAs in bidding for national or any other funding pots available to support sustainable economic growth.

Examples of joint plans

In 2008, a joint North Devon DC and Torridge DC group was established under section 101 of the Local Government Act 1972, to achieve quicker and more certain outcomes. The project has achieved:

- Cooperation in a number of partnerships (e.g. Northern Devon Coast & Countryside Service, Strategic Housing Market Area Partnership, Devon Biodiversity Partnership) and intend that emerging policies are consistent with partnership and neighbouring authority policies.
- The launch of a Joint Sustainable Community Strategy in February 2009, agreed by the Local Strategic Partnership Delivery Board.
- The pursuit of a single Core Strategy requiring 6 FTE policy staff over 2 years (not including sustainability staff – 2 No). The NDC LDF Team comprised 5 FTE and the TDC LDF Team 4 FTE (excluding one long-term vacancy). Other duties absorbed at least 50% of the resource. Therefore, joint working, staff recruitment / redeployment and reprioritisation were essential to conclude the project within current staffing levels¹².

A Joint Core Strategy (JCS) is being developed through a partnership between Gloucester City Council, Cheltenham Borough Council, Tewkesbury Borough Council, supported by Gloucestershire County Council¹³. The JCS partnership was formed to produce a co-ordinated strategic development for the area, and will plan how the area will develop during the period up to 2026. The JCS will set out the approach that the Councils will take to protect and enhance the natural and historic environment, deal with climate change, and set out policies for the location and timing of new housing and employment development, key infrastructure, community, leisure and tourism facilities. Joint evidence base studies include a Green Belt Review, Green Infrastructure Study, Landscape Assessment, and Renewable Energy Viability Assessment. Spatial options being explored through consultation include a “climate change option”¹⁴.

¹¹ See <http://www.planningofficers.org.uk/downloads/pdf/Localism-Bill-Commons-Committee-submission-FINAL-09feb11.pdf>

¹² Source: *North Devon And Torridge Joint LDF Arrangements – Core Strategy* Feb 2009
http://www.northdevon.gov.uk/core_strategy_pid_-_publication.pdf

¹³ Source: <http://www.gct-jcs.org/>

¹⁴ Source: <http://www.gct-jcs.org/Documents/EvidenceBase/JCSDevelopingtheSpatialOptionsCombinedConsultationReportsJun-Jul2010.pdf>