

# **South Staffordshire Employment Land Requirement and Supply**

## **Statement of Common Ground**

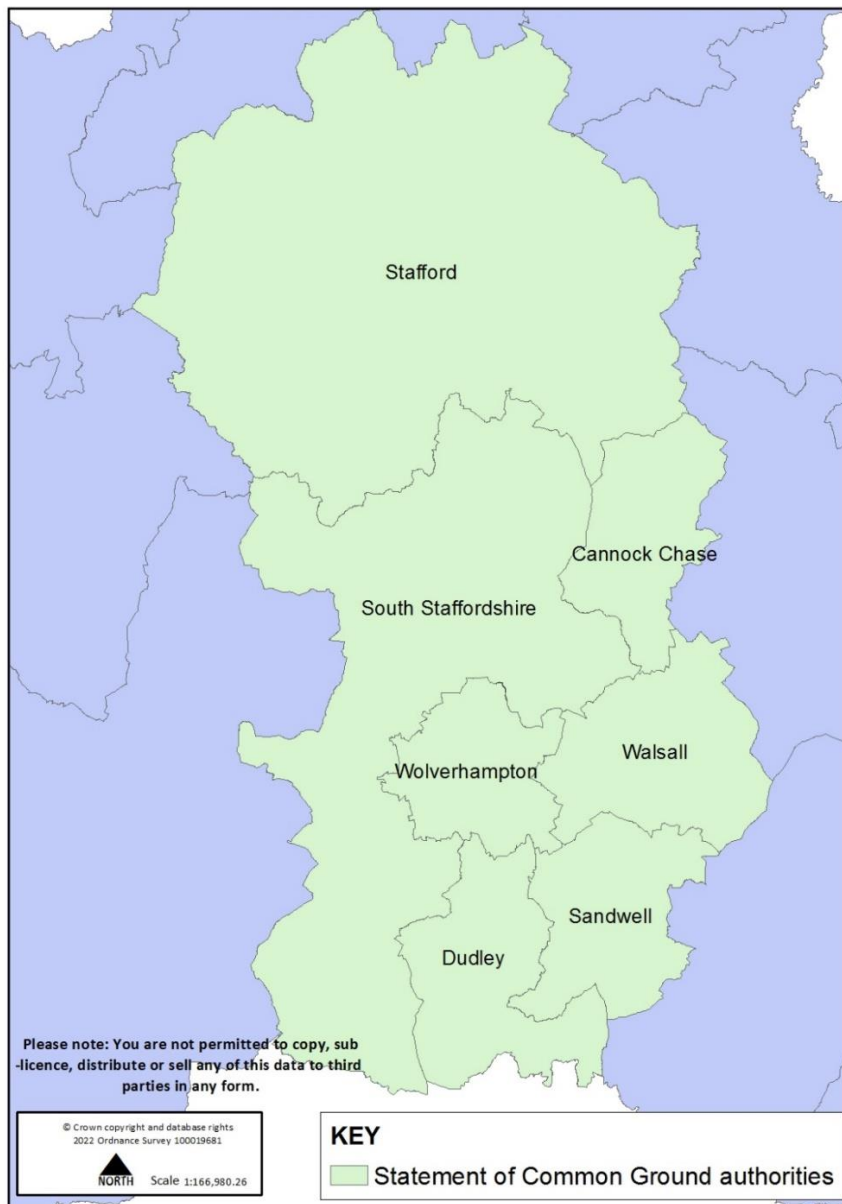
### **Position at August 2024**

## 1. Purpose and list of Parties involved in this Statement of Common Ground

1.1 This statement of common ground has been prepared to facilitate and record cross-boundary engagement between local authorities in addressing the employment needs to be met within South Staffordshire and the contribution that could be made from employment development within SSDC to the needs of the Black Country and other neighbours. In this document the SSDC area is described as the South Staffordshire Functional Economic Market Area (FEMA). The statement records co-operation and progress to date in addressing this strategic issue, demonstrating that the participating authorities have engaged constructively, actively and on an ongoing basis under the Duty to Cooperate.

1.2 The parties to this statement of common ground comprise of the local planning authorities set out below, as shown on the following map.

**Figure 1: Authorities covered by this statement**



#### Local planning authorities within the South Staffordshire FEMA

- Cannock Chase District Council
- Dudley Metropolitan Borough Council
- South Staffordshire District Council
- Stafford Borough Council
- Walsall Metropolitan Borough Council
- City of Wolverhampton Council

#### Other related local planning authorities outside of the South Staffordshire FEMA

- Sandwell Metropolitan Borough Council

## 2. Strategic Geography

2.1 South Staffordshire's Economic Development Needs Assessment states that the district has a low workplace self-containment rate, with high levels of commuting to and from neighbouring authority areas. The neighbouring area of Birmingham and the Black Country has a much greater resident population and number of jobs than the district. The strongest commuter links however are with six local authorities: Cannock Chase District Council, Dudley Metropolitan Borough Council, South Staffordshire District Council, Stafford Borough Council, Walsall Metropolitan Borough Council and City of Wolverhampton Council. For the purpose of identifying the economic needs of the district alone, it is necessary to identify a freestanding FEMA around the district. The EDNA update (2024) reconfirmed the South Staffordshire FEMA comprising these six authorities as an appropriate geography for this issue.

2.2 In addition to these local authorities, Sandwell Metropolitan Borough Council has also been included within this statement of common ground, despite being outside of the FEMA geography. Sandwell has been included within this statement because of the complex linkages between the four Black Country authorities.

2.3 Published evidence, most recently the October 2023 Black Country EDNA update<sup>1</sup>, confirms that the Black Country authorities will be unable to meet their needs for employment land over the period to which this SoCG relates. This is in part because of the physical capacity of their own areas, but also because of the consequential effects of the shortage of land in Birmingham. The latter was identified in the Birmingham Development Plan that was adopted in 2017.

2.4 The Black Country Plan Regulation 18 draft published in 2021<sup>2</sup> indicated that the Black Country as a whole (including Sandwell) was required to export 210ha of employment land through the Duty to Cooperate in order to address its employment needs. This shortfall was based on the balance of employment land need and supply across the individual Black Country local authorities. Whilst the Black Country Plan is no longer being proceeded with, the evidence that supported it remains.

2.5 An update to the Black Country authorities' employment land needs evidence was most recently undertaken in October 2023 in the Black Country Economic Needs Assessment (BCENA) 2020-41, and was published from early 2023 to support the emerging (Regulation 18) Sandwell, Dudley and Wolverhampton Local Plans. This work reconfirmed that the four Black Country authorities (Wolverhampton, Walsall, Dudley and Sandwell) form a single functional economic market area (FEMA), albeit with complex and varying functional interactions between the four Council areas within it. The work also confirms that the FEMA authorities have functional links to South Staffordshire, Birmingham, Wyre Forest, Bromsgrove, Solihull, Tamworth, Lichfield and Cannock Chase. Given this extensive geography, the relationship between the individual Black Country FEMA authorities and the authorities within this wider area also varies. The Black Country ELNA identifies a shortfall of 153ha of employment land across the Black Country FEMA and recommends that in meeting

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<sup>1</sup> [black-country-employment-land-needs-assessment-edna-2023.pdf \(dudley.gov.uk\)](#)

<sup>2</sup> [Draft Black Country Plan 2039 \(Regulation 18\) Consultation | Black Country Plan \(dudley.gov.uk\)](#)

this shortfall the Black Country authorities should engage with neighbouring Local Plan areas with a strong or moderate economic relationship to the Black Country FEMA through the duty to cooperate.

2.6 It is recognised that FEMAs overlap. The 2023 update reconfirmed functional links to Shropshire from the Black Country FEMA authorities. Therefore, aside from Stafford Borough, there is strong overlap between the South Staffordshire FEMA and the authorities functionally related to the Black Country FEMA, with South Staffordshire and Cannock sitting in both groups. The Cannock Chase Economic Development Needs Assessment 2019 identifies the FEMA for Cannock Chase as Cannock Chase District, Stafford, Lichfield, Walsall and South Staffordshire District. The Stafford Borough Economic Development Needs Assessment 2020 identifies the FEMA predominantly aligns with the Borough's administrative boundary.

### 3. Strategic Matter - Meeting Employment Needs

3.1 All adopted or emerging development plans for authorities involved in this statement of common ground are set out below, including whether a shortfall is currently being declared from any of these areas.

Table 1: Authorities progress to date

Local authority	Plan progress	Most recent published evidence on surplus/shortfall
South Staffordshire District Council	Regulation 19 Publication Plan consultation April 2024	<p>The local plan proposes to allocate a total of 107.45ha of employment land, not including West Midlands Interchange which is under construction. This will meet the labour demand of South Staffordshire residents and provide a surplus of 45.2ha to contribute to the unmet needs of the Black Country authorities.</p> <p>18.8ha of the very large strategic employment site at West Midlands Interchange will contribute to South Staffordshire’s needs. 10ha will contribute to Cannock Chase Council. The remaining land supply from WMI will be considered with related authorities.</p>
Cannock Chase District Council	<p>Regulation 19 Pre-submission (February to March 2024)</p> <p><u>Regulation 18 Preferred Options</u> consultation completed (2021)</p>	<p>The Regulation 19 Pre-submission consultation proposed that 74ha of employment land will be provided in Cannock Chase District up to 2040 to meet the District’s requirements. The plan indicates that in order to meet these needs CCDC would require 10ha from WMI in addition to two strategic employment allocations which require release of land from the Green Belt within the Local Authority boundary.</p> <p>Policy SO4.2 of the Preferred Options consultation indicated no employment shortfall or surplus arising from Cannock, stating that the district will provide for up to 50 ha of land for employment uses during the plan period.</p>
Stafford Borough Council	Regulation 18 Preferred Options consultation (October to December 2022)	The preferred options consultation sought views on the development strategy, draft policies and proposed sites, including at least 80 hectares of new employment land and two new proposed allocations north of Stafford

	<u>Regulation 18 Issues and Options</u> consultation complete (2020)	<p>and at Ladfordfields Recognised Industrial Estate. No surplus or shortfall to be exported through the Duty to Cooperate is identified by this consultation.</p> <p>Stafford Borough Council does not require the 8ha share of West Midlands Interchange attributed to the borough through the 2021 Stantec Report<sup>3</sup></p> <p>The issues and options consultation sought views on a range of levels of employment growth and land supply options to meet this growth, identifying a need to allocate employment land to accommodate this need. No surplus or shortfall to be exported through the Duty to Cooperate was identified through this consultation.</p>
Dudley MBC	Draft Dudley Local Plan 2041 (October 2023)	The draft Local Plan identifies a need of 72ha (98ha including replacement of employment losses of land for employment development) with an anticipated supply of 25ha and a shortfall of 47ha (73ha if including replacement of employment land losses).
Sandwell MBC	Draft Sandwell Local Plan (November 2023)	The draft Local Plan identifies a need for a minimum of 185ha of employment land up to 2041 (212ha including replacement of losses). The Plan confirms that 170ha of the employment land need arising in Sandwell cannot be met solely within the Borough
Walsall MBC	The Walsall Borough Local Plan will be progressed under new legislation introduced through the Levelling Up and Regeneration Act 2023	<p>Black Country authorities EDNA update (2023) identifies that Walsall has a surplus of 64ha of employment land, but this includes allocations (47ha within green belt) contained within the 2021 Black Country Plan Preferred Options Report. This surplus would still leave the Black Country as a whole with a shortfall of between 153 and 231ha<sup>4</sup>.</p> <p>The 2023 EDNA has not been confirmed as supporting evidence for Walsall's local plan</p>

<sup>3</sup> West Midlands Strategic Rail Freight Interchange: Employment Issues Response Paper – Whose need will the SRFI serve? (Stantec, Feb 2021)

<sup>4</sup> The BCEDNA includes an additional employment land supply of 76.9ha in the form of windfall development. This is not 'allocated' to individual Local Plan areas but would reduce the overall Black Country Employment land shortfall to 153ha

City of Wolverhampton Council	Wolverhampton Local Plan Regulation 18 Issues and Preferred Options (February 2024)	Plan identifies a need for 105 ha of land for employment development up to 2041 (116ha including replacement of losses), with the supply at April 2022 at 64ha, indicating a shortfall of 52ha
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### Work to date on the Black Country employment land shortfall

3.2 The Black Country Plan began its preparation process in summer 2017, when an Issues and Options report was published to commence the plan review. This initial document, based upon the 2017 Black Country EDNA, identified a Black Country-wide gap between employment land needs and supply of up to 300ha. Since then, the employment land shortfall being stated by the Black Country authorities has altered in its exact amount, but remains significant. The Association of Black Country Authorities sent further correspondence to neighbouring and housing market area local authorities in August 2020 (Appendix 1), outlining a shortfall of at least 292ha of employment land from the Black Country, which might be altered slightly by the findings of the emerging Black Country Employment Area Review which was then under preparation.

3.3 Following completion of this evidence, the published evidence to inform the 2021 Draft Black Country Plan consultation indicated that the shortfall had fallen since 2017 but remained significant, amounting to 210ha of land which needed to be exported through the Duty to Cooperate process. The Draft Plan suggested this could be informed by an update to the Black Country's EDNA and could be distributed to authorities that have a strong existing or potential functional economic relationship with the Black Country, for example in terms of migration patterns, commuting links and / or connectivity through physical infrastructure such as rail and motorway.

3.4 Following this in April 2022 the Association of Black Country Authorities wrote to neighbouring and housing market area authorities (Appendix 2). This letter requested clarification that all opportunities to accommodate unmet employment needs had been explored in local plan work. Separately, it queried whether authorities would be willing to participate in an update to the 2021 West Midlands Strategic Employment Sites work. It also indicated that the Black Country's employment shortfall had fallen to around 108ha, taking account of West Midlands Interchange's contribution to the Black Country and the proposed contribution from Shropshire Regulation 19 Local Plan. The correspondence requested that local planning authorities enter into a Statement of Common Ground with the Black Country to regularise their positions on its employment shortfall.

3.5 In October 2022, the Black Country Councils confirmed that work on the Black Country Plan had ceased, and that the four Council's would be preparing individual Local Plans. Evidence to support these individual Local Plans has been updated through the Black Country EDNA 2022 and most recently through the Employment Land Needs Assessment 2020-2041 (October 2023) which indicated a shortfall across the Black Country FEMA of 153ha.



## Contributions to date from the South Staffordshire FEMA to the Black Country authorities shortfall

3.6 Following the Black Country shortfall being identified, the Black Country authorities corresponded with other neighbouring local authorities under the Duty to Cooperate to establish opportunities to address this gap between need and supply. This included work to understand the role of the West Midlands Interchange (WMI) strategic employment site in contributing to employment supply in the Black Country and the site's wider travel to work area. This work supported the conclusions of the examining authority which granted the development consent order for the scheme, indicating that WMI will have no significant labour impact in the wider market area<sup>5</sup>. It also provided evidence of the contribution WMI would make to the employment land supply of authorities throughout the wider market area<sup>6</sup>, suggesting that WMI would contribute 67ha to the four Black Country authorities' employment land shortfall<sup>7</sup>. More recent Duty to Cooperate correspondence from South Staffordshire to the Black Country authorities confirms that this contribution from WMI towards the shortfall remains robust (Appendix 3).

3.7 South Staffordshire has also historically had an oversupply of employment land which has contributed towards the unmet needs of the wider region. This has been reflected in historic local plans, such as the district's Site Allocations Document 2018, which allocated modest extensions to the district's strategic employment sites to address regional unmet needs from beyond the district. South Staffordshire's emerging Local Plan Review also identified a surplus of employment land supply against South Staffordshire's own needs, as set out in South Staffordshire's 2022 Regulation 19 Publication Plan consultation. South Staffordshire formally indicated to the Black Country through Duty to Cooperate correspondence that this 36.6ha oversupply could contribute to the unmet employment land needs arising from the Black Country FEMA, and this was subsequently set out in a previous Statement of Common Ground (SoCG) dated November 2022 which was signed by Cannock, Dudley, South Staffordshire and Wolverhampton. This SoCG supersedes the previous November 2022 SoCG.

3.8 Since South Staffordshire Council consulted on its 2022 Publication Plan, the Council paused plan preparation pending clarity on proposed changes to national planning policy. This pause meant that it was no longer possible to submit the 2022 plan for examination given elements of it were no longer supported by up to date evidence and the plan's end date (2039) would be inconsistent with national policy requiring Local Plans to cover 15 years post adoption. Given this, in September 2023 South Staffordshire Council published an updated Local Development Scheme setting out its intention to undertake a further Regulation 19 consultation in Spring 2024. This has facilitated a need to update a number of evidence-based documents, including an update to the South Staffordshire EDNA which means that the supply/demand balance for employment land in the district was revisited,

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<sup>5</sup> Employment Issues Response Paper – Labour Supply' (prepared on behalf of South Staffordshire Council and the Black Country Authorities) (Stantec, May 2020)

<sup>6</sup> Including the Black Country, Birmingham and wider Staffordshire market areas

<sup>7</sup> West Midlands Strategic Rail Freight Interchange: Employment Issues Response Paper – Whose need will the SRFI serve? (Stantec, Feb 2021)

with the position on surplus land to contribute towards wider unmet needs having now changed. This update position is set out in Section 4 below.

3.9 To date neither Cannock Chase District Council nor Stafford Borough Council have proposed surplus employment land contributions towards the Black Country's employment land shortfalls. The reasoning and context for these positions is set out in Section 4 below.

#### Contributions to date from areas outside of the South Staffordshire FEMA

3.10 The Black Country EDNA 2017 and 2021 update concluded that the four Black Country local authorities can be considered as a standalone FEMA. They also indicate that there are eight local authority areas outside of the Black Country's FEMA which have strong or moderate functional economic links with the Black Country. These authorities include six local authorities that are not currently within the South Staffordshire FEMA<sup>8</sup>. The Black Country EDNA 2021 also identifies Shropshire Council as having strong labour market linkages with the Black Country. Despite this context, to date only Shropshire Council has proposed a contribution to the Black Country's employment land shortfall, proposing a 30ha contribution in their emerging Local Plan. Currently there are no other contributions proposed from other local authorities related to the Black Country but outside the South Staffordshire FEMA, although this is a matter of ongoing Duty to Cooperate discussions between the Black Country authorities and those areas.

#### **4. Current position of signatory authorities on the emerging Black Country FEMA shortfall as it relates to the South Staffordshire FEMA**

4.1 The purpose of this section is to set out the position of individual local authorities as to how they intend to address the emerging shortfalls within the South Staffordshire FEMA through their local plan reviews, including the work undertaken by each local authority to date. The wording provided for each authority represents the views of the authority concerned.

##### South Staffordshire District Council's position

4.2 South Staffordshire has been clear in Duty to Cooperate correspondence since 2018 that it will contribute surplus employment supply above its own needs to reduce the unmet needs of the Black Country authorities. The South Staffordshire EDNA 2018 identified a 19-38ha employment land oversupply against past completions and GVA growth predicted over the plan period. It indicated that this could contribute to part of the Black Country's employment shortfall (whilst acknowledging that Sandwell was not in South Staffordshire's FEMA) and that any oversupply to the Black Country should be secured through a Statement of Common Ground. Since this work was completed at the start of the district's plan review, South Staffordshire has revisited its EDNA in 2022, which identified a 36.6ha surplus of strategic employment land to meet cross boundary unmet needs.

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<sup>8</sup> Bromsgrove DC, Lichfield DC, Solihull MBC, Tamworth BC and Wyre Forest DC

4.3 Since the pause to the South Staffordshire Local Plan in January 2023, the Council considered it necessary to update its employment needs evidence to cover the district council's revised plan period to 2041. The update comprised details of the pipeline of employment land at 1 April 2023 and rolled forward evidence of labour demand covering the period 2023-2041. As part of its updated evidence base SSDC has identified gross residual needs of 62.4ha for the period 2023-2041 which includes an increased margin for churn and frictional vacancy that reflects the requirement to make sufficient provision for its own needs upon a combination of strategic and non-strategic sources of supply commitments and allocations. The resulting contribution towards unmet need is an output of these updates to the evidence base.

4.4 The EDNA update (2024) suggests that strategic sites (excluding WMI) within SSDC's area can contribute a surplus of 27.6ha to the unmet needs of other local authorities. In addition to sites in the current pipeline, SSDC is proposing to allocate an additional strategic site at M6 Junction 13 that performed well through the Council's site assessment process and will add an additional 17.6ha to the pipeline of sites. This recognises that allocating additional land will increase the pipeline of sites to more closely reflect recent take up (which has had a sub-regional component 'built in' due to recent large-scale completions, predominantly at i54). It also recognises that the site provides the only significant opportunity to deliver a non-Green Belt site in the district, at a location identified as a potential broad location for strategic employment land in the West Midlands Strategic Employment Sites Study (2021). The result of this addition to the pipeline is that the surplus of employment land that is available to unmet needs of the Black Country FEMA increases to 45.2ha (excluding WMI) to 2041.

4.5 In addition to this, South Staffordshire have also made clear that the West Midlands Interchange (WMI) Development Consent Order could contribute further to reduce unmet needs in the South Staffordshire FEMA. This was granted by the Planning Inspectorate in 2020, which creates around 200ha of B8 employment land within South Staffordshire's Green Belt. South Staffordshire has worked with the Black Country to identify the proportion of this land take that could be attributed to the Black Country's shortfall, firstly through the 2021 Stantec Report<sup>9</sup> and then through the district's 2020-2040 EDNA<sup>10</sup>. This work identified a **minimum** 67ha B8 contribution to the Black Country's unmet needs solely from WMI, which the Stantec Report indicates could increase if other local authorities within the WMI travel to work area do not require their 'share' of the site's considerable land supply. South Staffordshire understands that the Black Country is working with other local authorities within the WMI travel to work area to understand if more land from WMI could be counted towards Black Country FEMA shortfalls, hence why this figure is an absolute minimum at this stage.

4.6 Given this, South Staffordshire Council considers that there is a minimum of 112.2ha of surplus employment land within South Staffordshire which could contribute to addressing the Black Country's 153ha employment land shortfall. As set out in previous Duty to Cooperate correspondence the District Council does not consider there is further suitable

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<sup>9</sup> West Midlands Strategic Rail Freight Interchange: Employment Issues Response Paper – Whose need will the SRFI serve? (Stantec, Feb 2021)

<sup>10</sup> South Staffordshire Economic Development Needs Assessment 2020-2040

employment land to reduce this shortfall further within its administrative area, which reflects the findings of our Employment Site Assessment Topic Paper 2024.

4.7 Given this context South Staffordshire now expects that the Black Country authorities, either collectively or individually, must continue to approach the other seven local authority areas identified as having strong or moderate economic links with the Black Country in the 2017 and 2021 Black Country EDNAs. It must do this to identify how these authorities can now increase their land supply contribution to address the Black Country's employment shortfall. South Staffordshire District Council would be happy to participate in any Statement of Common Ground prepared by the Black Country authorities over this wider geography to address its shortfall more comprehensively.

4.8 South Staffordshire Council is one of the partner authorities for the West Midlands Strategic Employment Sites Study which is currently being prepared. The Council will consider the reports findings and respond to them through future local plan reviews.

#### Cannock Chase District Council's position

4.9 Evidence to support the Cannock Chase Local Plan review identifies that the Cannock Chase FEMA includes areas of South Staffordshire, Walsall, Lichfield and Stafford Borough.

4.10 Cannock Chase District Council wrote to the local authorities identified as being in its FEMA in December 2021 advising that it could not meet its employment land needs without removing sites from the Green Belt. The correspondence asked if the authority was able to assist in meeting some of Cannock Chase's employment land needs using land which is not in the Green Belt? The correspondence also asked in principle if the authority had any concerns regarding Cannock Chase District removing land from the Green Belt within its own administrative area to meet its local need for employment land.

4.11 South Staffordshire response in December 2021 advised potentially there may be capacity / sites in an emerging development plan which were not in the Green Belt and sought further discussions. South Staffordshire also sought further discussions regarding Cannock Chase removing land from the Green Belt within its own administrative area to meet the local need for employment land. They advised that they were updating their evidence and subject to its findings, there may be scope for some surplus employment land arising due to the West Midlands Interchange contributing towards the Cannock's supply.

4.12 The West Midlands Interchange lies within South Staffordshire district and the approach taken by South Staffordshire to the apportionment of land from this and their surplus employment land is set out within this statement.

4.13 The Black Country Authorities provided a joint response to the letter in December 2021 and advised they also had a shortfall in land supply to meet their own needs.

4.14 The Association of Black Country Authorities advised in December 2021 that the 2021 West Midlands SRFI Employment Issues Response Paper commissioned by the Black Country Authorities (<https://blackcountryplan.dudley.gov.uk/t2/p4/t2p4b/>) suggests that some

10ha of B8 land provided at the consented West Midlands Interchange could be apportioned to Cannock Chase. This would suggest that if the Local Plan is meeting its B8 needs in full, and the potential supply at WMI has not been accounted for in the land supply calculation, then there may be a surplus of land which could be available to contribute towards meeting needs arising in the Black Country in the context of the acknowledged shortfall. Furthermore, advised they had no concerns regarding the approach to remove land from the Green Belt within Cannock Chase's administrative area and no further discussions on this matter were considered necessary at this time.

4.15 Stafford Borough responded and advised that they had no land within their administrative boundary to assist in meeting some of the employment land need which was not in the Green Belt, that they had no concerns in principle regarding the removal of land from the Green Belt within Cannock Chase's administrative area, and considered no further discussions were necessary at the time subject to the sites being identified.

4.16 Cannock Chase District Council has stated in its 2024 Regulation 19 Pre-submission consultation that it will provide for up to 74ha of land for employment uses during the plan period. This is based on a robust assessment of the suitability, availability and achievability of employment site options within the district. The provision of 74ha figure is an upper limit on the supply of employment land and incorporates the 10ha of employment land apportioned at the West Midlands Interchange which could form part of Cannock Chase's employment land supply and further release of land within the Green Belt, within the District. Cannock Chase District Council does not currently consider that it has surplus in employment land provision available at this time to assist with the Black Country FEMA's employment land shortfalls which can be exported through the Duty to Cooperate.

4.17 Cannock Chase District Council is a partner authority for the update to the West Midlands Strategic Employment Sites Study and respond to findings of this study in future local plan reviews.

#### Stafford Borough Council's position

4.18 Stafford Borough Council's latest 2022 Regulation 18 Preferred Option consultation sets out the borough's current position on employment land provision. This indicates there is no surplus in employment land provision to be exported through the Duty to Cooperate to the Black Country. Stafford Borough Council does not require the 8ha share of West Midlands Interchange attributed to the borough in the work to apportion land from that site<sup>11</sup>.

#### The Black Country authorities' (Wolverhampton, Walsall, Dudley and Sandwell) position

4.19 The four Black Country authorities have established through successive studies and local plan consultations that there is a significant employment land shortfall arising from its administrative area. The demand requirement is based on a combination of past-trends and

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<sup>11</sup> West Midlands Strategic Rail Freight Interchange: Employment Issues Response Paper – Whose need will the SRFI serve? (Stantec, Feb 2021)

forecast growth in GVA with further adjustments to take account of forecasts 'losses'. As set out above, the total level of future employment land need across the Black Country is 533ha to 2041, with a forecast supply of 380ha, resulting in a shortfall of at least 153ha. It therefore remains imperative that local authorities with functional ties to the Black Country authorities examine whether they can reduce the Black Country FEMA shortfall through Local Plan Reviews.

4.20 The Black Country Councils acknowledge the contribution from South Staffordshire of 103.6ha of employment land (as set out in the 2022 Regulation 19 Plan), rising to 112.2ha (45.2ha from 'local' sites plus 67ha from WMI) based on the 2024 Regulation 19 Plan. Duty to Cooperate work between the Black Country authorities and other authorities in the WMI travel to work area including Birmingham City Council may increase this amount further, through identifying a greater share of West Midlands Interchange which is attributable to the Black Country FEMA. Given the sizeable nature of this contribution and the number of other local authorities with functional economic relationships with the Black Country, this is considered an appropriate contribution to the Black Country's employment land needs, although the Black Country authorities would expect South Staffordshire to consider the findings and recommendations of the West Midlands Strategic Employment Sites Study through future local plan reviews.

4.21 The Black Country FEMA authorities have also agreed the appropriateness of the 30ha contribution towards its unmet needs proposed in Shropshire's local plan which is currently under examination, subject to the inclusion of an early review mechanism should a shortfall remain in the light of the current round of Local Plans reviews and this position has been recorded in a separate Statement of Common Ground with Shropshire.

4.22 The Black Country authorities have made representations to the Cannock Chase and Stafford Borough emerging Local Plans to request that those Plans consider making a contribution towards addressing the Black Country employment land shortfall.

4.23 The total contributions to the Black Country's employment land shortfall proposed to date from South Staffordshire and Shropshire comprise 142ha, which almost closes out the Black Country's shortfall to 2041 of 153ha.

## 5. Summary of Current Position

5.1 Based on the above, the current extent of employment land shortfalls within South Staffordshire’s FEMA, including neighbouring authorities, and the extent to which they can be addressed, can be summarised as per the table below:

Local authority	Oversupply or undersupply vs local needs	Evidentiary basis for contribution
<i>South Staffordshire</i>	+112.2ha	Employment land supply identified as suitable, available and achievable in the 2024 Employment Site Assessment topic paper, alongside evidence of need vs supply in the district’s 2024 EDNA update and technical papers examining how to distribute the circa 200ha of employment land at WMI across the wider travel to work area.
<i>Cannock</i>	0ha	Employment land supply identified as suitable, available and achievable in the 2023 ELAA , Cannock Chase District EDNA Update 2024and technical paper examining how to distribute the circa 200ha of employment land at WMI across the wider travel to work area.
<i>Stafford</i>	0ha	Based on evidence available as at the 2020 Issues and Options consultation, including the Economic and Housing Development Needs Assessment 2019. It is also important to note that Stafford Borough is not identified as having strong or moderate functional economic relationship with the Black Country in the Black Country EDNA 2017 and 2021. It should be noted that the Stafford Borough FEMA predominantly aligns with the Borough’s administrative boundary
<i>Black Country authorities*</i>	-153ha**	Based on available evidence as at the 2023 Black Country Employment Development Needs Assessment (EDNA) and supporting 2022.

*\*Including Sandwell, who are not within the South Staffordshire FEMA*

*\*\*Arising from the Black Country FEMA as a whole, including Sandwell which is not part of the South Staffordshire FEMA*

### Summary of key issues relating to the South Staffordshire FEMA

- There remains a shortfall in the Black Country of around 153ha of employment land to 2041 arising cumulatively from the Black Country FEMA (Wolverhampton, Walsall, Dudley and Sandwell).
- The South Staffordshire FEMA and Black Country FEMA are different geographies, but include significant overlap, recognising the significant functional relationships between South Staffordshire and Cannock and most (but not all) of the Black Country FEMA authorities.
- Both South Staffordshire and Cannock are identified in the 2017 and 2022 update of the Black Country EDNA as areas outside of the Black Country FEMA which nonetheless have strong or moderate economic links with this geography.
- Stafford Borough is not identified as an area with strong or moderate economic links with the Black Country FEMA in the published Black Country EDNA, but this relationship will be reviewed through subsequent Local Plan work.
- Birmingham, Lichfield, Tamworth, Solihull, Bromsgrove and Wyre Forest have either strong or moderate economic links with the Black Country FEMA, but are also outside of the South Staffordshire FEMA.
- The relationship between the individual Black Country FEMA authorities, and with authorities within the wider geography varies.
- All South Staffordshire FEMA authorities are participating in a follow-up study to the West Midlands Strategic Employment Sites Study 2021.

### **Summary of key areas of agreement**

- The Black Country FEMA's shortfall, whilst not yet finalised through local plans, is nonetheless likely to be significant and requires cross-boundary working with local authorities within and outside of the Black Country FEMA in order to be addressed.
- Duty to Cooperate discussions with all other local authorities identified as having a strong or moderate economic relationship with the Black Country FEMA and other areas with which there is an evidenced functional relationship should continue to be progressed to identify further options to address the area's shortfall.
- The 2024 update to the West Midlands Strategic Employment Sites Study may inform future Duty to Cooperate discussions over the need for, scale of, location and phasing of additional strategic employment sites to meet the needs identified. The SESS will examine the need for large sites (around 25ha and above) that serve a greater than local need. Given the stage of plan making the authorities subject to this Statement are at, it is considered appropriate that the findings of the study will be considered through future Local Plan Reviews.
- The Black Country FEMA authorities consider South Staffordshire District Council's proposed contribution to unmet employment needs (112.2ha minimum) to be proportionate given its land constraints and the economic links the area has with the Black Country.
- West Midlands Interchange will provide 10ha towards Cannock District Council's supply in order to meet its needs.



### **Key areas where agreement is yet to be reached**

- There are currently differing views within the South Staffordshire FEMA as to whether Cannock and Stafford Borough are able to contribute to the Black Country's employment shortfall.
- The level of contribution that can reasonably be expected from authorities functionally linked to the Black Country but which are outside of the South Staffordshire FEMA is yet to be determined.

### Future work streams to address key issues and areas where an agreement is still being sought

5.2 There is considerable variety in the progress and status of local plans across the South Staffordshire FEMA and it is likely that the position on the unmet employment needs of the Black Country will change over time as plan-making within that area progresses. Notwithstanding this complexity, the signatories to this statement will seek to engage proactively and positively on employment land shortfalls, seeking to maximise agreement on the approach to distributing any shortfalls and using shared evidence bases wherever possible.

5.3 It is anticipated that the following key steps will be required to address the outstanding issues identified in this section:

- The Black Country authorities will continue to approach other authorities beyond South Staffordshire and Shropshire to request evidence of ability to assist with unmet employment needs (including areas functionally related to Black Country outside of South Staffordshire FEMA)
- The West Midlands Strategic Employment Sites Study update work will be progressed alongside other local authorities within the study area identified in that work
- Duty to Cooperate discussions between Black Country authorities and Stafford/Cannock will continue to understand whether an agreed position can be reached on their contributions to Black Country employment shortfalls

## Signatories

### Cannock Chase District Council

Name: Dean Piper



Position: Head of Economic Development & Planning

Date: 23 August 2024

### Dudley Metropolitan Borough Council

Name: Cllr Patrick Harley

Position: Leader of Dudley Council

Signature:



Date: 25 October 2024

### Sandwell Metropolitan Borough Council

Name: Alan Lunt



Position: Executive Director of Place

Date: 9 October 2024

**South Staffordshire District Council**

Name: Kelly Harris



Position: Lead Planning Manager

Date: 04 November 2024

**Stafford Borough Council**

Name:

Antony Reid      A Reid

Position:

Cab. Member Economic Dev & Planning

Date: 10/10/24

**Walsall Metropolitan Borough Council**

Name: Dave Brown

Position: Executive Director, Economy, Environment & Communities

Date: 24 October 2024

**City of Wolverhampton Council**

Name: Councillor Chris Burden

Position: Cabinet Member for City Development, Jobs and Skills

Date: 10/10/2024

Signature:

A handwritten signature in black ink, appearing to read 'Chris Burden', written in a cursive style.

**Appendix 1 – August 2020 Duty to Cooperate correspondence from the Black Country**



Association of Black Country Authorities  
Dudley, Sandwell, Walsall and Wolverhampton

Our Ref: HP/CW  
Date: 4 August 2020  
Please ask for: Christine Williams  
Direct Line: 01922 652089

Dear Colleagues

**Black Country Plan Review**  
**Duty to Co-operate: Strategic Housing and Employment land Issues**

As you will be aware, the Black Country Authorities are currently in the process of reviewing the Black Country Core Strategy, which is now called the Black Country Plan. As a key part of this review we completed our Issues and Options consultation in September 2017, which included a call for sites. In light of the impacts of Covid-19 we have now published a revised timetable for the Black Country Plan review (<https://blackcountryplan.dudley.gov.uk/t2/p1/>).

In line with the new timetable, we are now finalising evidence and preparing a Draft Plan for consultation in summer 2021. We aim to produce a Publication Plan in summer 2022 and adopt the Plan in early 2024. In order to ensure the adopted Plan covers a period of at least 15 years we will be extending the Plan period to 2039.

We are keen to continue to work with neighbouring authorities, including yours, on strategic matters. You may recall that we contacted you in July 2018 asking your authority to consider whether it would be able and willing to accommodate any identified housing or employment land needs arising from the Black Country. We were pleased to receive a number of positive responses to this request and note that a number of authorities have since progressed their Local Plan reviews in a consistently positive manner. We also held a Duty to Co-operate meeting in January 2020 when we took the opportunity to update neighbouring authorities on key strategic planning matters.

The purpose of this letter is to provide a further update on the strategic issues of housing and employment land needs arising in the Black Country over our Plan period, and how these can be met, and to ask your authority to respond to specific questions on these issues. These are the most pressing strategic issues which we need to address to enable us to fully develop our Draft Plan, in line with the new timetable.

## **Strategic Housing Issues**

Our most recent housing evidence, summarised in the Black Country Urban Capacity Review (UCR) 2019 (<https://blackcountryplan.dudley.gov.uk/t2/p4/t2p4c/>), sets out our estimated housing need up to 2038. Whilst we acknowledge that this figure may change following the anticipated Government review of the Standard Methodology and will need to be extended by a year to cover the new Plan period, we are certain that we will not be able to accommodate all of our identified housing needs within the urban area of the Black Country.

This view is supported by our urban housing supply estimates, which are detailed in the 2019 UCR. The UCR continues to focus on a brownfield first approach, building on the success of the current strategy, and making every endeavour to accommodate as much of our development needs as possible in our urban areas before considering other locations in the Black Country or beyond. However, even by increasing densities and looking to other sources of urban land supply, it is clear that we cannot accommodate all our housing needs within the urban area. Current estimates are that we have a shortfall in the region of 27,000 homes up to 2038. We are in the process of updating the UCR to reflect the most up-to-date information and hope to publish this update by the end of the year. However, it is very unlikely that this update will result in a significant increase in urban housing supply over the Plan period.

## **Strategic Employment Land Issues**

Turning to employment land, the Black Country economy has been performing well and is considered strong. Our future employment land requirement ranges between 592 ha (baseline growth) and 870 ha (aspirational growth based on West Midlands Combined Authority SEP). Our existing urban employment land supply (including recent completions) provides approximately 300 ha of land, leaving a shortfall of between 292 ha and 570 ha, depending on the growth scenarios applied. As is the case with our approach to housing land, we are considering all opportunities to bring forward additional employment land within the urban area including a review of opportunities within our existing employment areas through the Black Country Employment Area Review (BEAR). While this work will yield some additional capacity, it will not make a significant impact upon addressing our unmet need.

## **Potential contributions from Non-Green Belt Areas**

The Black Country clearly has development needs which cannot be met within the non-green belt areas of the Black Country. In this event, national policy (reference NPPF para 137) requires that, if there are non-green belt areas in neighbouring authorities which can be brought forward to meet Black Country development needs, these should be clearly identified first, before considering release of land from the green belt. To date, no existing adopted Local Plans are making such a contribution.

**Therefore, we would request that your authority confirms if your existing or emerging Local Plan is seeking to deliver levels of housing and / or employment land in excess of local needs on non-green belt land and, if so, whether any particular sites are being promoted that, due to their location and accessibility, could reasonably be attributed to meeting part of the housing or employment land needs of the Black Country up to 2039.**

### **Green Belt Areas**

The Black Country authorities have undertaken a Green Belt and Landscape Sensitivity Assessment, which has shown that the Black Country Green Belt makes a principal contribution towards Green Belt purposes and its capacity to undertake large-scale development is limited.

Whilst we have still to finalise our site assessment, viability and delivery work, we envisage that market deliverability will limit the capacity of the Black Country Green Belt up to 2039. This assumption is based on the case of the Birmingham Plan, where the Peter Brett Associates (PBA) Delivery Study<sup>1</sup> concluded that market deliverability placed significant constraints on the amount of housing which could be delivered in the Birmingham Green Belt up to 2031. These constraints reduced the actual capacity of the urban extension identified in the Plan consultation from 10,000 to 5,000 homes, over the 15 year period of the Plan<sup>2</sup>. This assumption was based on a strong housing market recovery scenario in one of the strongest housing markets areas in the West Midlands.

As the majority of the Black Country Green Belt is located primarily in Walsall and, to a lesser extent, in Dudley, these are the two main housing market areas for potential delivery of housing in the Green Belt, with only small amounts of housing potential in Wolverhampton and Sandwell. Therefore, based on a scenario that there was sufficient unconstrained capacity identified in the Black Country Green Belt, a Delivery Study based on similar principles to that completed for Birmingham, may reasonably conclude that the housing market areas in Dudley and Walsall could only be expected to deliver up to a maximum of 5,000 homes in each of the two boroughs (providing a maximum total of 10,000 homes) over the 15-year Plan period. We hope to publish further delivery evidence to refine this figure by the end of the year. On the basis of this approach, the Black Country is facing a 'gap' of some 17,000 homes that cannot be accommodated within the Black Country.

Turning to employment, the call for sites stage identified few additional sites for consideration on land within the Black Country Green Belt. We are considering

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<sup>1</sup> [https://www.birmingham.gov.uk/downloads/file/1750/pg3\\_housing\\_delivery\\_on\\_green\\_belt\\_options\\_2013pdf](https://www.birmingham.gov.uk/downloads/file/1750/pg3_housing_delivery_on_green_belt_options_2013pdf)

<sup>2</sup>

[https://www.birmingham.gov.uk/downloads/file/1211/strategic\\_housing\\_market\\_assessment\\_2013\\_housing\\_targets\\_2011\\_to\\_2031\\_technical\\_paper](https://www.birmingham.gov.uk/downloads/file/1211/strategic_housing_market_assessment_2013_housing_targets_2011_to_2031_technical_paper)



these proposals but it is not anticipated that this will provide significant additional capacity.

Taking into account the likely housing and employment land capacity of the Black Country Green Belt, even if the maximum contributions from neighbouring authorities set out in the Duty to Cooperate table above are brought forward, there remains a significant level of unmet need in the order of at least 4,500 - 6,500 homes and up to 292 ha-570ha of employment land.

**Therefore, we would request that your authority confirms if your existing or emerging Local Plan is seeking to deliver levels of housing or employment land in excess of local development needs on land currently designated as green belt and, if so, whether any particular sites are being promoted that, due to their location and accessibility, could reasonably be attributed to meeting part of the housing or employment land needs of the Black Country up to 2039.**

### **Duty to Cooperate progress**

As set out above, we were pleased to receive a number of positive responses to our Duty to Cooperate letter of July 2018 and a number of authorities have since progressed their Local Plan reviews in a consistently positive manner. Potential contributions to housing and employment land from neighbouring authorities indicated through our engagement under the Duty to Cooperate to date are summarised in the table below:

<b>Local Plan and timescale</b>	<b>Plan stage</b>	<b>Potential housing contribution</b>	<b>Potential employment land contribution (ha)</b>
South Staffordshire	Issues and Options (November 2018) & Spatial Housing Strategy and Infrastructure Delivery consultation (October 2019)	Up to 4,000* (majority Green Belt release)	Contributions to be sought from District's employment land surplus, including West Midlands Interchange (majority Green Belt release)**
Lichfield	Preferred Options (November 2019)	Up to 4,500* (part may be outside the Green Belt)	0
Cannock	Issues and Options (May 2019)	Up to 500-2,500* (all Green Belt release)	0
Shropshire	Publication (Summer 2020)	1,500 (may be outside the Green Belt)	0
<b>Total</b>		<b>Up to 10,500-12,500</b>	<b>TBD**</b>

\* - potential contribution to needs arising across the Birmingham and Black Country Housing Market Area and not at this stage wholly apportioned to the Black Country.  
\*\* dependent on the outcome of ongoing work to determine the extent of surplus South Staffordshire Green Belt employment land release that can reasonably be attributed to the Black Country's employment land needs

This suggests that the combined housing and employment land capacity of non-green belt areas and green belt in neighbouring authorities is unlikely to be sufficient to address Black Country housing and employment land shortfalls up to 2039.

### **Statement of Common Ground**

**Looking ahead to the Duty to Cooperate work needed to support the emerging Black Country Plan, we would like to invite your authority to take part in developing a single Statement of Common Ground (SoCG) covering strategic issues for the Black Country Plan up to 2039, with the initial focus on housing and employment land issues.**

We are keen to involve as many relevant authorities as possible in developing the strategic housing and employment land related parts of the SoCG, including Greater Birmingham and Black Country Housing Market Area authorities and other neighbouring authorities with an existing or potential housing market or functional economic relationship to the Black Country. The SoCG will evolve as the BCP review progresses, and it is intended to agree and publish an up-to-date SoCG for each key stage of the review process.

We hope that the SoCG will ultimately be supported by a separate agreement on strategic housing issues between relevant authorities, setting out how and where the combined Black Country and Birmingham housing shortfalls will be met over the Black Country Plan and Birmingham Plan review periods, which can be relied upon at our Examinations in Public and form the basis for partnership working in the years following the adoption of our Plans.

### **Timetable for Responses**

**We ask that you consider the requests set out in this letter and respond in writing to: [blackcountryplan@dudley.gov.uk](mailto:blackcountryplan@dudley.gov.uk) within two months of the date of this letter. If you wish to discuss the contents of this letter before responding, by phone or at a meeting, please get in touch.** We appreciate that this letter may raise difficult issues that need thorough consideration from both officers and Councillors. However, given the time that has already passed since the Black Country initially identified a significant housing shortfall in 2018 and the wider work already undertaken across the Greater Birmingham Housing Market Area, we would be grateful if you could adhere to these timescales. **If you anticipate a delay in being able to provide a response, it would be helpful if you could let us know as soon as possible.**

We will be inviting your authority to attend a meeting in October 2020 to discuss the responses we have received to this letter and to agree a way forward, with the view to developing a Statement of Common Ground to accompany the Draft Black Country Plan by spring 2021.

Given the need to adhere to the current Black Country Plan timetable, if we do not receive a response from your authority on these issues by September 2020 we will assume that your authority is not considering making a contribution towards Black Country housing or employment land needs and does not wish to take part in developing our Statement of Common Ground, and this will be noted in our Duty to Cooperate records.

We look forward to working with you on strategic matters during the course of our review work.

Yours sincerely



Councillor Patrick Harley  
Leader  
Dudley Metropolitan Borough Council



Councillor Mike Bird  
Leader  
Walsall Metropolitan Borough Council



Councillor Maria Crompton  
Deputy Leader  
Sandwell Metropolitan Borough  
Council



Councillor Ian Brookfield  
Leader  
City of Wolverhampton Council

**Appendix 2 – April 2022 Duty to Cooperate correspondence from Black Country**



Association of Black Country Authorities  
Dudley, Sandwell, Walsall and Wolverhampton

Our Ref: HP/CW  
Date: 26 April 2022

Dear Colleagues,

**Black Country Plan Review**  
**Duty to Cooperate: Strategic Housing and Employment land issues**

The Black Country Authorities (BCAs) are progressing the Black Country Plan (BCP) which will replace the Black Country Core Strategy as the overarching strategic planning and regeneration strategy for the area.

You may recall that we contacted neighbouring authorities including yours, in July 2018 and again in August 2020, to request assistance in accommodating identified housing and / or employment land needs arising from the Black Country. We received a number of positive responses to this request and note that a number of authorities have since progressed their Local Plan reviews in a consistently positive manner. We have also held Duty to Cooperate meetings in January 2020, June 2021 and August 2021 – the latter alongside the commencement of the BCP Regulation 18 consultation.

We were also fully supportive of South Staffordshire Council's convening of a meeting of all local authorities in the Greater Birmingham, Solihull and Black Country Housing Market Area (the HMA) and other neighbouring authorities with a functional relationship with the HMA in December 2021. The BCA suggested a series of actions in advance of that meeting, building on our Duty to Cooperate engagement to date, and which are directly relevant to our strategy of working with you to ensure that the Black Country evidenced growth needs can be met in full.

The purpose of this letter is to update you on progress with the BCP and to outline next steps. We also set out our strategy for ongoing engagement through the Duty to Cooperate with a focus on strategic housing and employment land issues. This includes a set of proposals which we are seeking your response to by way of a series of specific requests.

## Recent progress

1. The Regulation 18 BCP consultation took place between August and October 2021. We received around 20,800 responses and all of the representations can be viewed online via the link - <https://blackcountryplan.dudley.gov.uk/bcp/> . The bulk of feedback centred around the potential use of green belt land for development and we are currently reviewing all of the responses to inform the preparation of the Regulation 19 BCP programmed for consultation in the Autumn of this year.
2. We received responses from a number of neighbouring authorities – Bromsgrove, Cannock Chase, Lichfield, Redditch, Solihull, South Staffordshire, Stafford, Staffordshire and Worcestershire. These representations raised a variety of issues at a strategic level, recognising the broad scale of the shortfall and the need for ongoing and better aligned engagement going forward, in order to ensure a consistent and fair approach be taken to address longer term needs once the final shortfalls are confirmed.
3. The next sections of this letter summarise the current scale of the housing and employment land shortfalls and how we intend to address them.

## Strategic Housing Issues

4. The Regulation 18 BCP identifies a housing shortfall of 28,234 homes over the period 2020-39 (16,346 by 2031 and 11,888 2031-39). This shortfall is based on the most up to date local housing need (including the 35% uplift for Wolverhampton), the most recent housing monitoring information and land supply on sites allocated in the draft BCP including land currently designated as green belt. The Regulation 18 BCP proposes that this shortfall is addressed via the Duty to Cooperate through 'exporting' to sustainable locations in neighbouring areas.
5. As part of the preparation of the Regulation 19 BCP, we are undertaking further evidence gathering in relation to urban land supply. This will involve an update of the existing Urban Capacity Study including a detailed assessment of the implications of the ongoing restructuring of some retail and commercial sectors which may 'free up' space in town and city centres. However, the scale of any additional capacity is likely to be limited and is not anticipated to make significant headway into the shortfall outlined above.
6. As set out above, through the Duty to Cooperate, we are pleased that some Local Plans have responded positively to our request initially raised in 2018 for assistance in addressing our future growth needs. Potential contributions through our Duty to Cooperate engagement to date are outlined in the table below.

**Table 1 – Duty to Cooperate contributions (in order of Local Plan progress)**

<b>Local Plan</b>	<b>Status</b>	<b>Potential contribution to meeting Black Country housing needs</b>	<b>Comments</b>
Solihull	Submission (May 2021)  Examination underway	2,000 (minority)	Contribution is to meet needs arising across the whole of the HMA and not limited to the Black Country, 2,000 HMA contribution noted by Local Plan Inspector February 2022. However, Solihull has a stronger functional relationship with Birmingham than with the Black Country.
Shropshire	Submission (September 2021)  Examination underway	1,500 (all)	Contribution towards the Black Country only, confirmed in Statement of Common Ground (August 2021)
Lichfield	Publication (July 2021)  Submission due April 2022	2,000 (all)	Contribution forms majority of 2,665 contribution to meet the needs of the HMA as a whole.
Cannock Chase	Preferred Options (March 2021)	Up to 500 (majority)	Contribution is to meet needs arising across the whole of the HMA and not limited to the Black Country. However, Cannock Chase has a stronger functional relationship with the Black Country than with Birmingham.
South Staffordshire	Preferred Options (November 2021)	Up to 4,000 (majority)	Contribution is to meet needs arising across the whole of the HMA and not limited to the Black Country. However, South Staffordshire has a stronger functional relationship with the Black Country than with Birmingham.
<b>Total</b>		<b>3,500-10,000</b>	

7. These Plans are providing for a minimum of 3,500 homes to specifically meet Black Country needs and up to some 10,000 homes to meet the needs of the HMA as a whole, a proportion of which will be available to the Black Country.
8. Of these HMA contributions, given the physical proximity and functional relationship between the Black Country and South Staffordshire, it is anticipated that the majority of the 4,000 contribution being tested through the South Staffordshire Local Plan could be available to meet Black Country needs. Conversely, given its relationship to Birmingham, we anticipate that the majority of the 2,000 home contribution from Solihull is unlikely to be available to meet needs arising in the Black Country. Under these scenarios, the contributions from the authorities listed in Table 1 could realistically provide up to some 8,000 homes towards meeting needs arising in the Black Country.
9. In addition, the highest growth scenarios set out in the earlier iterations of the Lichfield and Cannock Local Plans could also provide some 5,550 homes in excess of local needs (in comparison with the 3,165 currently offered). This additional capacity (3,000 homes in total over and above current contributions to the Black Country) has been highlighted by the BCAs and will be tested through the forthcoming Local Plan examinations.
10. Further contributions are being sought from Stafford (of up to 2,000 homes) and as yet undetermined contributions from Bromsgrove and Telford & Wrekin, both at the early stages of their Local Plan reviews. In the case of Telford and Wrekin, the higher growth option set out in the Issues and Options Report could provide some 3,700 homes over and above local needs, and the Black Country is well placed to provide a source of 'need' for this housing. The BCAs see this as being a minimum level of contribution given the historic role of Telford as a New Town to help address issues of overcrowding and living conditions in the West Midlands conurbation, and very high rates of housing completions over and above local needs in recent years. In total, this additional capacity from Stafford and Telford & Wrekin could provide some 5,700 homes towards meeting needs arising in the Black Country.
11. Taking into account this potential extra capacity of up to some 8,700 homes from Stafford, Telford & Wrekin, Lichfield and Cannock, added to current potential contributions (around 8,000 homes), could provide up to some 16,700 homes to meet needs arising in the Black Country.



12. Going forward, it is critical that those contributions currently expressed as meeting needs arising across the HMA as a whole are apportioned to individual Local Plans areas through Statements of Common Ground to provide the BCAs with certainty over the scale of contributions that is available to meet our shortfall. **However, even in the event of a contribution being secured at the higher end of the range of scenarios outlined above, a significant ‘gap’ of some 11,500 homes would remain for the Black Country up to 2039 (with a proportion of this gap arising before 2031). It is therefore critical that additional sources of land must be identified through the Duty to Cooperate if the Black Country is able to show how its identified growth needs can be accommodated.**

Request 1 - We request that any contributions that your authority is making to meet the needs of the HMA as a whole includes an apportionment to solely address needs arising in the Black Country.

Request 2 – We request that you provide confirmation that you have either explored all opportunities to accommodate unmet housing needs arising in the Black Country within your Local Plan work, or that you will actively test opportunities going forward.

### **Strategic Employment Land Issues**

13. As is the case with housing needs, the Black Country is unable to meet its identified employment land requirements in full. The Black Country Plan employment land shortfall to 2039 is 210ha as set out in the Regulation 18 Black Country Plan – this figure the difference between the need of 565ha and an anticipated supply of 355ha. This is consistent with the employment land requirement set out in Policy EMP1 of the draft Black Country Plan and section 4 of the 2021 Black Country EDNA. Para 2.22 of the 2021 EDNA recommends that the split of employment land provided for by the Plan comprise around 30% of B8 activity and 70% for E(g)(ii)(iii)/B2 use class. This means that the total B8 requirement is 170-176ha and for E(g)(ii)(iii)/B2 a requirement of 396-410ha. We are reviewing these requirements in the light of updated economic projections which include a more up to date understanding of the CV-19 recession recovery trajectory. This work may result in a refinement of the requirements but it is highly likely that our shortfall will remain.
14. In accommodating this shortfall, in the first instance we will look to those authorities within the areas of strong economic transactions with the Black Country (South Staffordshire and Birmingham) and areas of moderate economic transactions with the Black Country as identified in the 2017 EDNA (Cannock Chase, Lichfield, Tamworth, Solihull, Bromsgrove and Wyre Forest). In addition, the Shropshire Economic Development Needs Assessment (December 2020) highlights strong labour market linkages between Shropshire and the Black Country.

15. At this stage, we would not identify a specific functional geography for addressing the E(g)(ii)(iii)/B2 shortfall as distinct from the B8 element of the shortfall, but recognise the consented West Midlands Interchange site is reserved exclusively for B8 activity. With this in mind, we refer you to the West Midlands Interchange Apportionment Study produced by Stantec to support the Black Country Plan and published earlier this year (<https://blackcountryplan.dudley.gov.uk/t2/p4/t2p4b/>). This suggests that a minimum of some 67ha of land at West Midlands Interchange could be apportioned to meet needs arising in the Black Country, with the potential for a larger contribution if other areas within the market area are able to meet their B8 needs in full. This would suggest that the quantitative B8 shortfall could be largely satisfied by this site should the programmed South Staffordshire EDNA update confirm a surplus of employment land against local needs. **This could reduce the Black Country employment land shortfall to 138ha. Any additional surplus of employment land arising from the South Staffordshire EDNA update would reduce the shortfall further.**
16. In terms of other potential contributions, the Shropshire Regulation 19 Local Plan is making a contribution of 30ha of employment land towards needs arising in the Black Country, **reducing the shortfall to some 108ha**. We are engaging with other emerging Local Plans through the Duty to Cooperate including Bromsgrove, Lichfield, Cannock, Telford & Wrekin, Solihull and Stafford, but no contributions have been put forward by those authorities and the BCAs will continue to press this matter through Local Plan examinations, particularly those authorities within the areas of strong economic transactions with the Black Country as listed above. We will also be seeking the participation of authorities listed in paragraph 14, and any others able to contribute to BCA employment shortfalls, in a Statement of Common Ground (SoCG) addressing this issue to inform the Black Country's Regulation 19 plan and will use the responses to this letter to inform the draft SoCG. **As is the case with housing, additional sources of land supply must be identified if the Black Country is able to meet its growth needs in full.**

Request 3 - We request that you provide confirmation that you have either explored all opportunities to accommodate unmet employment land needs arising in the Black Country within your Local Plan work, or that you will actively test opportunities going forward, and that you will be willing to enter into a Statement of Common Ground with the Black Country under the scope set out in paragraph 16 of this letter.

17. We draw your attention to the West Midlands Strategic Employment Sites Study (WMSESS) (<https://blackcountryplan.dudley.gov.uk/t2/p4/t2p4b/>) published in 2021. The Report was produced by Avison Young and Arcadis consultants and commissioned by three of the West Midlands Local Enterprise Partnerships (the Black Country, Greater Birmingham and Solihull and Coventry Warwickshire) and Staffordshire County Council. The Study updates the 2015 West Midlands Strategic Employment Sites Study which identified a demand for strategic employment sites in the West Midlands, but a lack of suitable sites.

18. The Study advises that based on evidence of past trends in relation to take-up, and assuming that no additional strategic employment sites are brought forward to replace those that remain, the supply of allocated and committed employment land would appear to represent a maximum of 7.41 years supply. As it was in 2015, this represents a limited supply of available, allocated and/or committed sites across the Study Area that meet the definition of 'strategic employment sites', and there is an urgent market demand for additional sites to be brought forward to provide a deliverable pipeline, noting the very substantial lead-in times for promoting and bringing forward such sites. The Study identifies five areas where strategic employment sites should be identified and this includes the Black Country and southern Staffordshire.
19. The Study makes a number of recommendations for further work. This is because the shortfall in the availability and future supply of strategic employment sites cannot be robustly quantified without an assessment of market dynamics and projected sector growth patterns through an econometric demand forecast, which would add materially to the findings of this Study and would inform the strategy for delivering a sufficient supply of strategic employment land. The Study has already been given weight in the Local Plan process – most recently through the examination of the North Warwickshire Local Plan and the resulting Policy LP6 – Additional Employment Land.
20. There is clearly a potential relationship between the need to address the Black Country employment land shortfall and the need to bring forward additional strategic employment sites as set out in the WMSESS. Through the HMA Group and liaison with those bodies who were party to the 2021 Study, a draft brief has been prepared to address the recommendations for the 2021 Study and strongly recommend that this work is progressed in partnership with the local planning authorities across the 2021 Study geography, and other areas which share a functional relationship with the Black Country, for example Shropshire.

Request 4 - We request that you indicate whether your authority is willing to participate in the further work to address the recommendations of the WMSESS.

### **Next steps**

21. As set out above, there is a significant level of unmet need for housing and employment land to address evidenced Black Country growth requirements which cannot be met within the Black Country administrative area. There are three elements to our strategy to address the shortfall through the Duty to Cooperate and these are summarised below.

22. In the short term we will be continuing to engage with individual Local Plans to ensure 2018 Growth Study recommendations are maximised and to confirm current contributions to help address the Black Country shortfall, particularly in relation to those housing contributions which have been expressed at HMA level and not yet distinguishing a specific Black Country apportionment. For those Local Plans which are less progressed, we will engage in a positive and robust manner to ensure that the unmet needs of the Black Country are fully recognised and all opportunities to assist in meeting our needs are comprehensively explored. This will include opportunities identified in the 2018 Growth Study.
23. **But these current workstreams may not address our needs in full, and we strongly recommend to you that there is a compelling need to address this matter in a comprehensive and inclusive manner across a wide but functional geography.** We are also mindful of the forthcoming Birmingham Local Plan review and the potential for this to further increase the shortfall arising from the West Midlands conurbation. We outlined our suggestions on a potential programme of work as part of the 15<sup>th</sup> December South Staffordshire Duty to Cooperate meeting. This was shared with you in advance and we attach it to this letter. The key elements of this work programme are:
- To review the extent of the HMA in order to understand if this is the most appropriate geography by which housing needs and mechanisms to accommodate any shortfalls can be considered;
  - To confirm the scale of the housing shortfall across the whole of the HMA over a period of at least 15 years to inform the approach taken by current and emerging Local Plan reviews.
  - A review of whether the growth locations identified in the 2018 Growth Study work remain appropriate and whether new growth areas should be identified for testing through Local Plan preparation. This work may well result in the need for a new Growth Study but we would not want to pre-judge the work before confirming that is the case.
24. This work programme is currently subject to ongoing discussions largely through the HMA officer group, and we recognise that the existing governance arrangements are in need of review to ensure that we have in place mechanisms to manage and oversee the implementation of this work. The nature of these governance arrangements and the parties involved should be informed by the evidence but at this stage, a Statement of Common Ground across the HMA geography and including other authorities which have a functional relationship with it which sets out the nature of how we work together going forward is essential. We strongly encourage your authority to fully engage in this work.

Request 5 - We request that you indicate whether your authority is willing to participate in the further work outlined in the bullet points above, and that your authority would be willing to confirm this commitment through a Statement of Common Ground and review of governance arrangements to deliver these actions.

25. Turning to employment land, as with housing we will pursue a Statement of Common Ground with functionally related authorities to both secure current contributions and engage with less progressed Local Plans through the Duty to Cooperate to establish potential for further contributions. We have set out the compelling need for a follow-up study to address the recommendations of the 2021 West Midlands Strategic Employment Sites Study and have asked if your authority would be willing to participate in this work and assist with its resourcing.
26. Common to both the housing and employment land shortfalls is the final element of our strategy – for Local Plans to include an early review mechanism. This is important given the potential for there could continue to be a shortfall following the current round of Local Plan preparation. This shortfall should trigger the detailed evaluation of opportunities identified from the recommendations of the proposed work outlined above in relation to both housing and employment land through updated Local Plans. This approach has been used in a number of West Midlands Local Plans - most recently Wyre Forest, Stratford on Avon and North Warwickshire. We consider that a failure to include an early review mechanism is a serious omission and must be addressed in order for the Plan to be sound.

Request 6 - We request that you indicate whether your authority is willing to consider the inclusion of a commitment to an early review mechanism in your emerging Local Plan to enable the consideration of additional growth opportunities outlined in the work listed above in a timely manner should this be necessary.

### **Timetable for responses**

27. Moving forward, the BCAs are progressing the preparation of the Regulation 19 Plan having regard to the issues raised in the Regulation 18 consultation responses and evidence currently under preparation. This includes the Transport Study, updated urban capacity study and employment land update. The Transport Study in particular will provide us with a better understanding of the constraints and opportunities associated with the levels of and location of growth set out in the Regulation 18 Plan with potential implications for the development capacity of some sites.

28. To enable us to meet this timetable, and clear understanding of opportunities through the Duty to Cooperate is critical. **We therefore ask that you consider the requests set out in this letter and respond in writing to: [blackcountryplan@dudley.gov.uk](mailto:blackcountryplan@dudley.gov.uk) within six weeks of the date of this letter.** If you wish to discuss the contents of this letter before responding, please get in touch. We appreciate that this letter may raise difficult issues that need thorough consideration from both officers and Councillors. However, given the time that has already passed since the Black Country initially identified a shortfall in 2018 and the wider work already being undertaken across the HMA, we would be grateful if you could adhere to these timescales. If you anticipate a delay is being able to provide a response, it would be helpful if you could let us know as soon as possible.

Yours sincerely



Councillor Patrick Harley  
Leader  
Dudley Metropolitan Borough Council



Councillor Mike Bird  
Leader  
Walsall Metropolitan Borough Council



Councillor Kerrie Carmichael  
Leader  
Sandwell Metropolitan Borough Council



Councillor Ian Brookfield  
Leader  
City of Wolverhampton Council

**Appendix 3 – June 2022 Duty to Cooperate correspondence from South Staffordshire to Black Country**



Association of Black Country Authorities  
Walsall MBC  
The Civic Centre  
Darwall Street  
Walsall  
WS1 1TP

**Please ask for:** Ed Fox

**Direct Dial:** (01902) 696418

**Email:** e.fox@sstaffs.gov.uk

6 June 2022

**FAO:**

Councillor Patrick Harley, Leader, Dudley Metropolitan Borough Council  
Councillor Mike Bird, Leader, Walsall Metropolitan Borough Council  
Councillor Kerrie Carmichael, Leader, Sandwell Metropolitan Borough Council  
Councillor Ian Brookfield, Leader, City of Wolverhampton Council

Dear Councillor,

**RE: Black Country Plan Review**

**Duty to Co-operate: Strategic Housing and Employment Land Issues**

Thank you for your letter dated 26 April 2022. Please see below answers to your requests.

**Request 1 – We request that any contributions that your authority is making to meet the needs of the HMA as a whole includes an apportionment to solely address needs arising in the Black Country.**

South Staffordshire District Council's (SSDC) proposed 4,000 contribution to unmet needs was based on findings of the GBHMA Strategic Growth Study 2018. This concluded there was a 60,000 dwelling shortfall up to 2036 across the GBHMA, generated primarily by both Black Country and Birmingham. South Staffordshire's contribution is directed at this cumulative shortfall and we have not sought to divide it between the Black Country and Birmingham to date as that original study did not divide either the shortfall across HMA or the recommended strategic growth locations between either shortfall.

If it is necessary to separate out HMA housing contributions in this manner then we are concerned that requests for HMA authorities to individually determine how to separate their contributions between Birmingham and the Black Country in this manner without any consistent evidence base is fundamentally unrobust and risks inconsistent approaches to this key issue across the HMA. Furthermore we are firmly of the view that this issue should be addressed through Duty to Co-operate discussions with the wider HMA group, rather than through individual letters from the Black Country to individual local planning authorities. Any proposals to split contributions would affect Birmingham City Council's position so it is vital that, as a minimum, any agreed approach to splitting contributions is agreed in collaboration with Birmingham City Council as well as the Black Country.

Given the above, we do not consider that this letter is an appropriate forum for local authorities to propose the splitting of their HMA housing contributions. We consider that the opportunity to undertake this exercise, if it is necessary, is through the further work to review the 2018 Strategic Growth Study referred to in Request 5 of your



letter. This would offer a chance for a consistent methodology to be agreed across all HMA authorities in a consistent and transparent way.

**Request 2 – We request that you provide confirmation that you have explored all opportunities to accommodate unmet housing needs arising in the Black Country within your Local Plan work, or that you will actively test opportunities going forward.**

South Staffordshire has engaged with the findings of the 2018 Strategic Growth Study from the earliest stages of its Local Plan Review to ensure that it makes an appropriate contribution to the unmet needs of the GBHMA, including the Black Country.

Different levels of housing growth were initially tested in our Issues and Options consultation, involving unmet need contributions of between 0 and 20,000 dwellings to the GBHMA. These options reflected the indicative capacities of the strategic growth locations recommended for the District in the 2018 Strategic Growth Study. Of all the options tested, the 4,000 dwelling contribution to the GBHMA was the option that best balanced the need for additional housing and past delivery rates with the need to avoid a range of more negative sustainability impacts, as shown in the 2018 Sustainability Appraisal. Given these findings and the Council's majority Green Belt coverage, the Council proposed to test a 4,000 dwelling contribution towards the GBHMA unmet needs as the recommended housing target. Following this consultation the Council's proposed housing target received broad support from GBHMA authorities, including the Black Country authorities.

The Council then proceeded to test seven different spatial strategies for delivering the preferred level of housing growth (i.e. the District's needs plus 4,000 dwellings to HMA unmet needs) in the 2019 Spatial Housing Strategy and Infrastructure Delivery (SHSID) consultation. These included testing of a scenario (Spatial Option D) which sought to solely maximise new allocations in the locations recommended for growth in the GBHMA Strategic Growth Study. The SHSID consultation ultimately chose an infrastructure-led strategy (Spatial Option G) which sought to deliver significant levels of growth in three of the four areas recommended for growth in the Strategic Growth Study, but a lesser level of growth on the western edge of the Black Country. Instead Option G sought to deliver an additional strategic site on the northern edge of the Black Country in addition to the locations recommended by the Strategic Growth Study, recognising this broad location's proximity to local authorities with unmet needs (Wolverhampton/Walsall) and better access to employment via sustainable transport than the western edge of the conurbation.

Once again, the consultation responses from other GBHMA authorities (including the Black Country) were broadly supportive of this approach and the contribution to unmet housing needs being made. A request was made from the Black Country authorities for the whole of the unmet needs contribution to be attributed to the Black Country rather than the wider GBHMA, but no evidence or HMA-wide agreement to apportionment was forthcoming to support this request.

Building upon the 2019 SHSID consultation and responses made to this, the District published its 2021 Preferred Options consultation, containing housing site proposals to deliver the preferred spatial housing strategy for the District and the 4,000 dwelling contribution to the GBHMA. As with the 2019 SHSID consultation, this sought to deliver growth in the locations set out in the GBHMA Strategic Growth Study for South Staffordshire. This is summarised below.

GBHMA Strategic Growth Study recommendation	Dwelling capacity indicated in GBHMA study	Capacity in Preferred Options 2021 and rationale for level of growth
Urban extension: North of Penkridge	1,500 – 7,500	1,721 dwellings across Penkridge, primarily in the north of the village. This aligns to the maximum amount of available land delivery north of the village (alongside additional existing commitments and safeguarded land) and the maximum amount of growth likely to be delivered on a urban extension during the plan period (1,200 dwellings).
Urban extension (employment-led): North of Wolverhampton in the vicinity of i54	1,500 – 7,500	1,200 dwellings in a single urban extension at Cross Green (Site 646). There are no other allocations in this area and the indicated capacity solely aligns to the maximum amount of growth likely to be delivered on a urban extension during the plan period (1,200 dwellings) and the available land in this broad location.
Proportionate dispersal: North of Codsall/Bilbrook	500 – 2,500	1,673 dwellings in Codsall/Bilbrook. This requires significant Green Belt release and aligns growth to levels discussed with the Education Authority to ensure delivery of a First School needed in the area.
Western edge of the conurbation between Stourbridge and Wolverhampton	500 – 2,500	390 dwellings on a site in South Staffordshire. This level of growth recognises that much of this broad location is adjacent to a local authority not generating unmet needs once its Green Belt has been explored (Dudley MBC) and the relatively lesser sustainability of this location compared to the Black Country's northern edge. The Council are mindful that this broad location also includes land within the Black Country and that the Black Country Draft Plan 863 dwellings on two strategic sites along the western edge of the conurbation (DUH208 and DUH211) and that cumulatively this would mean that 1,253 dwellings would be delivered in this broad location across both areas.

In addition to the above the Preferred Options consultation also continued to propose an additional strategic allocation on the Black Country's northern edge of 1,200 dwellings (Site 486c – Land at Linthouse Lane) alongside proportionate growth across the District's remaining rural settlements. Cumulatively, this ensures that the District's own needs and a 4,000 dwelling contribution to the GBHMA unmet needs can be accommodated within the Preferred Options document. As shown above, the Preferred Options document does this in a manner which delivers growth in each of the four recommended growth locations in the Strategic Growth Study, often exceeding the minimum growth levels required unless market build rates indicate this cannot be achieved.

Consultation responses to the Preferred Options consultation from other HMA authorities were generally supportive of the 4,000 dwelling contribution. The Association of Black Country authorities were also supportive

and re-stated their request for all of the 4,000 dwelling contribution to be attributed to the Black Country referencing commuting and migration links and the proximity of some allocations to the Black Country, but again no HMA-wide evidence was submitted to support this stance and no consistent methodology or agreement to roll such an approach out across the GBHMA was provided.

Cumulatively, the above shows that the Council has sought to accommodate the recommendations of the GBHMA Strategic Growth Study as far as possible within the Local Plan Review and has sought to allocate additional growth where these cannot be fully delivered to ensure the District's commitment to deliver 4,000 dwellings to unmet needs can be met. Given this, the Council considers it has explored all reasonable evidence-based opportunities to accommodate unmet needs from the GBHMA, including the Black Country. If there are now concerns that existing commitments will not be sufficient to meet emerging unmet needs, then we would request that an updated HMA-wide evidence is commissioned to re-examine the extent of the unmet needs across the GBHMA and potential for strategic growth locations to address these in a comprehensive manner. We will continue to be an active participant in the work being progressed towards a Statement of Common Ground and updated evidence base at the HMA level to ensure that this can be addressed.

**Request 3 - We request that you provide confirmation that you have either explored all opportunities to accommodate unmet employment land needs arising in the Black Country within your Local Plan work, or that you will actively test opportunities going forward, and that you will be willing to enter into a Statement of Common Ground with the Black Country under the scope set out in paragraph 16 of this letter.**

SSDC recognise the clear functional relationship between South Staffordshire and the Black Country (principally Dudley, Walsall and Wolverhampton) in relation to employment land which is reflected by South Staffordshire's role in recent years of delivering strategic employment sites that have a sub-regional function. SSDC have indicated to the Black Country Authorities previously in response to your letter of 4 August 2020 that in principle we would be willing to explore if any surplus employment supply in South Staffordshire could be attributed to the Black Country. This was subject to the findings of our updated employment evidence base - our Economic Development Needs Assessment (EDNA) 2022 - which is now finalised.

With regard to West Midlands Interchange (WMI), the EDNA acknowledges and builds upon the approach to apportioning WMI that was set out in the February 2021 Stantec Report. That report apportions WMI based on an approach of using projected population change for each authority within the sites market area as a proxy for apportioning the site to those authorities. The EDNA re-examines this matter exclusively for South Staffordshire, and utilises economic forecasting and projected labour demand to conclude that a **18.8ha** share of WMI for South Staffordshire is appropriate.

The 2021 Stantec Report apportions a total of 5ha of the 193ha total to South Staffordshire, leaving residual of 188ha for other authorities. The findings from South Staffordshire's EDNA based on a total share of 18.8ha would continue to leave an alternative total of 174.2ha for other authorities. For the avoidance of doubt assuming an unchanged Black Country claim of 67ha based on the 2021 Stantec Report this would comprise around 35% of the remaining 188ha total (excluding South Staffordshire) identified from that evidence. The equivalent percentage would comprise around 38% of the remaining 174.2ha based on the findings of our EDNA. We do not consider that this materially impacts the Black County Authorities continuing to base their request under the Duty to Cooperate on the basis of the 2021 Stantec Report.

Whilst we have taken a more in depth approach to calculating our share of WMI through our local evidence, we still consider that the Stantec Study is a reasonable basis for determining wider authorities' potential share of the site given its wider role and in the absence of sub-regional details of labour demand. The Stantec work whilst identifying a **67ha** share towards the Black Country, also identifies that this should be viewed as a minimum. Given this, together with the strong functional links between South Staffordshire and the Black Country and noting that no other authority has indicated to us that they require a share of WMI to meet their local needs, relevant evidence continues to indicate that a higher proportion of the site towards Black Country needs may be justified should it be required.

Our EDNA also considered our employment requirements exclusive of WMI, and isolated strategic supply/demand from local supply/demand. This identified the proportion of our pipeline of strategic sites that could potentially meet cross boundary needs and following the supply/demand balancing exercise concluded that **36.6ha** was surplus and could meet cross boundary needs. This total includes 28.4ha within Use Class B2/B8 based on the supply/demand balance undertaken within the 2022 EDNA. The remainder of the total is influenced by previous trends in the delivery of ancillary office floorspace upon strategic sites within South Staffordshire district. As the total 36.6ha comprises a surplus for the purposes of South Staffordshire's identified needs it is suggested that the entire total is capable of being considered flexibly in terms of its future land use and contribution towards Black Country unmet needs.

Other new site options that would potentially increase our pipeline of employment land over the plan period were assessed as part of our [Employment Site Assessment Topic Paper \(2021\)](#) that accompanied our [Preferred Options](#) consultation. This assessment did not identify any further sites for allocation to increase the supply of employment land further.

We reiterate our request in our letter of 18 November 2021 that the Black Country should lead on the preparation of a Statement of Common Ground (SoCG) across the wider geography identified as having strong and moderate economic transactions with the Black Country as a matter of urgency. As set out in your letter, there also appears to be evidence to include Shropshire within this functional geography. Based upon our latest evidence we can confirm that a minimum of **103.6ha** (subject to your WMI claim) of surplus employment land in South Staffordshire is in principle available towards Black Country unmet employment needs which we are willing to confirm through the SoCG. This is a significant contribution to your unmet needs, accounting for around half of your declared shortfall. As such, we expect that the Black Country should now strongly engage with other functionally related authorities (including Shropshire) to address the remainder of the shortfall and should formalise its current position through a SoCG as a matter of urgency.

**Request 4 - We request that you indicate whether your authority is willing to participate in the further work to address the recommendations of the WMSESS.**

SSDC can confirm we are willing to participate in an updated West Midlands Strategic Employment Sites Study (WMSESS). However, this is subject to the study recognising (and addressing) that the need for employment land has already been factored into assessments of employment need through local EDNAs. This issue will need to be carefully considered through this work to ensure that a forecast based ('labour demand') approach to identifying need does not double count need already identified through local EDNAs, and recognise that it may be that strategic employment sites meet both a local and regionally derived need simultaneously. This is very relevant to

South Staffordshire where our latest 2022 EDNA confirms that the need for strategic employment sites is already 'baked into' our local labour demand forecasts as a result of large-scale strategic sites being delivered in recent years. This raises a critical point, noting the Council's response to your 'Request 3' and findings of the 2022 EDNA, the remaining pipeline of strategic sites in South Staffordshire remains critical to meeting the Council's identified need for land and floorspace and forms part of the basis upon which a contribution towards the Black Country's identified shortfall (in addition to WMI) has been identified.

Given the scale of these large employment sites and the markets they serve, we consider it appropriate that this is considered a regional scale issue, and request that demand for these is considered over the entire study area, rather than being broken down into sub areas, which are not appropriate geographies to assess regional needs over. Likewise, it is important that any assessment of past take-up (upon which the existing Report essentially relies), for the purposes of an updated WMSESS, reflects that the delivery of 'one-off' schemes in particular authorities has been provided (in part) to meet wider needs and would not necessarily be expected to be sustained at these rates locally. This would be consistent with the findings of South Staffordshire's EDNA 2022 (and previous evidence prepared for the Council in addressing past take-up trends).

Equally, options to meet the identified demand should be looked at afresh over the entire study and not automatically confined to the sub areas identified within the 2021 WMSESS. These sub areas seem to be focused very much around key motorway junctions and trunk roads which are key locational requirements for logistics and warehousing, but it is important that the study also examines the optimal locational requirements for advanced manufacturing and research and development which are likely to be distinct from logistics and warehousing.

**Request 5 – We request that you indicate whether your authority is willing to participate in the further work outlined in the bullet points above, and that your authority would be willing to confirm this commitment through a Statement of Common Ground and review of governance arrangements to deliver these actions.**

As you will recall from our December 2021 Duty to Co-operate meeting, South Staffordshire District Council is of the clear view that a Statement of Common Ground, reviewed governance arrangements and updated work programme to review and update the 2018 Strategic Growth Study recommendations is vital to the progress of plans throughout the GBHMA area. We also understand there to have been broad acceptance for this position at the meeting, albeit the details of the future governance arrangements and future work programme were not available at that time. Officers from the District Council have since been heavily involved in the drafting of the draft Statement of Common Ground and governance arrangements to deliver this schedule of work across the GBHMA. This proposed work schedule includes, but is not limited to, the work outlined to review the 2018 Strategic Growth Study in this letter. We will continue to participate in this work to ensure that the unmet housing needs of the GBHMA can be addressed.

**Request 6 – We request that you indicate whether your authority is willing to consider the inclusion of a commitment to an early review mechanism in your emerging Local Plan to enable to consideration of additional growth opportunities outlined in the work listed above in a timely manner should this be necessary.**

South Staffordshire's current Local Plan Review is already making a significant housing contribution towards the GBHMA's unmet needs, delivering growth within all of the strategic areas recommended in the current regional evidence base. It has also played a significant role in contributing to the Black Country's unmet employment needs

and has already delivered substantial amounts of regionally and nationally important employment sites. All of this growth has required substantial existing or proposed Green Belt release within the District, a trend which is highly likely to continue in future if further reviews are necessary given the District's rural nature and significant Green Belt coverage.

Given the significant land supply constraints affecting the District the need for an early review would have to depend on the outcomes of future evidence base documents (e.g. updates to the Strategic Growth Study and the regional strategic employment evidence base). It would also depend on the outcome of Duty to Co-operate discussions that the Black Country will need to have with other HMA/FEMA local authorities to understand their capacity to meet unmet needs, informed by regional evidence bases. The outcomes of these processes cannot be prejudged and so it cannot be automatically assumed that South Staffordshire's Local Plan Review will require an early review at this point.

Notwithstanding this, the Planning Practice Guidance requires plans to be reviewed to assess whether they need updating at least once every 5 years that any review should be proportionate to the issues in hand. The District Council is willing to reflect the need to assess whether an early review is required at least once every 5 years within the Local Plan Review to provide clarity to Duty to Co-operate partners. In doing so it will confirm that an early review will commence should it be considered appropriate at that point in time informed by the latest sub-regional evidence base and Duty to Co-operate agreements

I trust that this letter is helpful in understanding our position on the points that you raise and we look forward to continuing to proactively engage with you as we progress our respective plans.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Terry Mason', written in a cursive style.

**Councillor Terry Mason**  
Cabinet Member for Planning & Business Enterprise