

SOUTH STAFFORDSHIRE LOCAL PLAN EXAMINATION

Hearing Statement

Representor ref number	STA24-015 Dudley MBC
Matter	2 – Duty to cooperate
Relevant issue	Issue 1 - Whether the Council has complied with the Duty to Cooperate in the preparation of the Plan.
<p>1. Have all the genuinely strategic matters requiring cross boundary co-operation been identified?</p> <p>From Dudley Metropolitan Borough Council's (MBC) perspective, we consider that all of the strategic matters requiring cross-boundary cooperation have been identified relevant to South Staffordshire and Dudley MBC (as detailed further within the Statement of Common Ground (SoCG) between South Staffordshire Council and Dudley Metropolitan Borough Council (September 2024) (Document Reference DC9).</p>	
<p>2. Have the neighbouring authorities and prescribed bodies the Council is under a legal duty to co-operate with been correctly identified?</p> <p>Dudley MBC has been correctly identified as a Duty to Cooperate body.</p>	
<p>3. Has any neighbouring authority or prescribed body indicated that the duty to cooperate has not been complied with in relation to any strategic matter? If so, what was the Council's response?</p> <p>The Council's response to the Regulation 19 Consultation in May 2024 confirmed that the Duty to Cooperate has been met, welcoming the positive, cooperative and active engagement throughout the Plan preparation process and ongoing engagement following the Regulation 19 consultation and submission. All of these activities are detailed further in the SoCG between South Staffordshire Council and Dudley MBC dated September 2024 (Document Reference DC9).</p> <p>This approach was continued in the period leading up to and after the submission of the Local Plan by way of South Staffordshire Council's participation in the preparation of the 'officer agreed' Greater Birmingham and Black Country Housing Market Area (GBBCHMA) SoCG, (Document Reference SST/ED11)), the GBBCHMA Strategic Housing Growth Study update commissioned in March 2025, and ongoing engagement in the Dudley Local Plan process, including representations to the Dudley Regulation 19 Plan which was subject to consultation between October 2024 and November 2024.</p>	

South Staffordshire Council also actively engaged in the preparation of the Black Country Functional Economic Area Statement of Common Ground. All of these activities are detailed further in the SoCG between South Staffordshire Council and Dudley MBC (Document Reference DC9).

4. Who has the Council engaged with in terms of overall housing provision and what form has this taken?

South Staffordshire Council has engaged with a wide range of stakeholders on housing land provision, including Dudley MBC. The key elements are:

- Involvement in the Greater Birmingham Black Country HMA (GBBCHMA) Strategic Housing Growth Study (2018) (Document Reference EB28 and EB28a) as part of a consortia of 14 local authorities across the GBBCHMA. The Study examined the extent of unmet housing needs across the GBBCHMA (including Birmingham and the Black Country local authorities) up to both 2031 and 2036, recognising that local plans within the HMA were likely to be planning beyond the 2031 Birmingham Development Plan (BDP) end date. South Staffordshire Council used/tested the recommendations arising from the 2018 Growth Study as part of its Local Plan review.
- South Staffordshire Council has undertaken ongoing engagement with the Black Country local authorities and GBBCHMA- via written correspondence and participation in meetings. The Council has engaged in a positive, cooperative and active manner with the Black Country Council's (both jointly and individually) throughout the preparation of the Local Plan as evidenced in the Duty to Co-operate Topic Papers (Document Reference DC1 and DC2), to address the emerging shortfall across the Black Country local authorities' area and the wider GBBCHMA. The Council led on the preparation of a GBBCHMA wide SoCG (August 2022) (Document Reference DC6) to facilitate and record cross-boundary engagement between local authorities in addressing existing and emerging housing shortfalls within the GBBCHMA and to seek agreement to deliver a review of the 2018 GBBCHMA Strategic Housing Growth Study to support the changing position on housing land shortfalls across the housing market area.
- Through the Duty to Co-operate engagement, the Council has recognised that some of the local authorities within the GBBCHMA (Black Country and Birmingham local authorities) have been unable to meet their own housing land needs and that there is a strong physical and functional relationship between South Staffordshire and parts of the HMA, including Birmingham and the Black Country, as identified in the Strategic Housing Growth Study (2018) (Document Reference EB28 and EB28a). On this basis the South Staffordshire Local Plan makes a contribution of 640 homes towards the GBBCHMA shortfall. An updated "officer agreed" GBBCHMA

SoCG (Document Reference SST/ED11) has subsequently been produced. The focus of this SoCG is to confirm those local authorities who had evidenced a shortfall in meeting their housing needs and where contributions have been made by other local authorities in contributing towards such shortfalls and to agree an approach by which those contributions are apportioned to the shortfall area. This SoCG is currently subject to sign off by local authorities within the HMA and related authorities outside the HMA boundary. To date (11 April 2025) the majority of local authorities, with the exception of one, have agreed the SoCG.

- Ongoing engagement in the Strategic Housing Growth Study update 2025. South Staffordshire Council along with other local authorities within the GBBCHMA have committed to the undertaking of an update of the Strategic Housing Growth Study (2018) (Document Reference Ref EB28 and EB28a). The updated Strategic Housing Growth Study was commissioned in March 2025.

5. In terms of migration, commuting, travel to work and housing markets:

a. What are the inter-relationships with neighbouring authority areas?

b. How have these been taken into account in preparing the Local Plan?

- The Greater Birmingham and Black Country Housing Market Area (GBBCHMA) comprises 14 local authorities: Birmingham City Council, Bromsgrove District Council, Cannock Chase District Council, Dudley Metropolitan Borough Council, Lichfield District Council, North Warwickshire Borough Council, Redditch Borough Council, Sandwell Metropolitan Borough Council, Solihull Metropolitan Borough Council, South Staffordshire District Council, Stratford-on-Avon District Council, Tamworth Borough Council, Walsall Metropolitan Borough Council and City of Wolverhampton Council. This geography was defined through two published studies commissioned from Peter Brett Associates (now Stantec). in 2014 and 2015. The HMA geography was identified in accordance with planning guidance at the time based on an analysis of migration flows and commuting patterns and was subsequently endorsed by all authorities in the HMA. This geography was used in the Strategic Housing Growth Study (2018) (Document Reference EB28 and EB28a) as discussed in Question 4 above and formed the geographical basis for the two GBBCHMA SoCG (Document References DC6 and SST/ED12).
- The inter- relationship between neighbouring local authorities within the HMA geography has been adopted as an agreed approach for apportioning the housing contributions and shortfalls amongst each of the relevant authorities. This approach set out in an updated “officer agreed” GBBCHMA SoCG (Document Reference

SST/ED11), is based on net migration flows between the exporting local authority and each of the receiving authorities e.g. the Black Country authorities and Birmingham. This method involves the apportionment being based on the quantum of net migration as a proportion of net migration between the exporting authority and all Black Country local authorities (where the contribution is made specifically to the Black County authorities) or to Birmingham and the Black Country Authorities where the contribution has been made to the wider GBBCHMA. The agreed dataset to base this approach on is migration data available from ONS, which is based on a combination of administrative data taken from the National Health Service Central Register, the Patient Register Data System and the Higher Education Statistics Agency. Appendix One of the SoCG identifies the Net Migration between Black Country Authorities and Birmingham and the exporting local authorities and apportionment of contributions.

- South Staffordshire Council has taken into account the geography of the HMA in preparing its local plan and the basis for which it has made a contribution towards the GBBCHMA housing shortfall. This is documented in the GBBCHMA SoCG as documented above (Document References DC6 and SST/ED11) and in Duty to Co-operate engagement and correspondence as evidenced in the Council's Duty to Co-operate Topic Papers (Document Reference DC1 and DC2).

6. Who has the Council engaged with in terms of overall employment land provision and what form has this taken?

South Staffordshire Council has engaged with a wide range of stakeholders on employment land provision. The key elements are:

- Involvement in the West Midlands Strategic Employment Sites Study (2024) (Document Reference EB92) as part of a consortia of local authorities across the West Midlands which updated an earlier Report produced in 2015. This Study sought to understand the ongoing need for a portfolio of large, strategic employment sites across the West Midlands. It recognised the importance of existing strategic sites in the District and concluded that additional provision needed to be planned for across the West Midlands. South Staffordshire Council will consider more fully the recommendations of this work in terms of potential additional provision through the next Local Plan review.
- Engagement with the Black Country local authorities. South Staffordshire Council has engaged in a positive, cooperative and active manner with DMBC and jointly with the Black Country Councils throughout the preparation of the Local Plan. This engagement has recognised that the Black Country has been unable to meet its own employment land needs and that there is a

strong physical and functional relationship between South Staffordshire and the Black Country. The South Staffordshire Local Plan makes a significant contribution of 112.2ha towards the Black Country shortfall of 257.4ha to 2041 and 280.45ha to 2042. The Black Country Councils agree that at this stage, the other local authority areas with which the Black Country has an evidenced functional economic relationship should be the focus for engagement to make further headway into addressing the shortfall. The 'officer agreed' SoCG for the Black Country Functional Economic Market Area (FEMA) (January 2025) (Document Reference SST/ED12) and the South Staffordshire Employment Land Requirement and Supply SoCG (August 2024) (Document Reference DC5) provide further information on the activities undertaken and agreements reached.

7. In terms of migration, commuting and travel to work areas:

a. What are the inter-relationships with neighbouring authority areas?

b. How have these been taken into account in preparing the Local Plan?

The South Staffordshire Economic Development Needs Assessment (Document Reference EB44) identifies Wolverhampton, Dudley and Walsall as being within the South Staffordshire Functional Economic Area (FEMA), based on a range of migration, commuting and travel to work area data (in accordance with Planning Practice Guidance Paragraph: 019 Reference ID: 61-019-20190315). This is confirmed in the August 2024 South Staffordshire Employment Land Requirement and Supply SoCG signed by all of the FEMA local authorities (Document Reference DC5). Sandwell is also a signatory to the Statement of Common Ground given it being a key part of the Black Country Functional Economic Area as evidenced in the Black Country Economic Development Needs Assessment, confirmed in the Black Country FEMA SoCG (Document Reference SST/ED12).

The relationship between South Staffordshire and the Black Country set out in this evidence base and confirmed in Statements of Common Ground has been the basis on which South Staffordshire Council has made a significant contribution to addressing the Black Country employment land shortfall.

8. Are the co-operation activities and outcomes sufficiently evidenced? Have all relevant signed and dated Statements of Common Ground been provided, consistent with the requirements of the National Planning Policy Framework and the associated Planning Practice Guidance? If not, why?

The Council's Duty to Co-operate engagement and correspondence as evidenced in the Council's Duty to Co-operate Topic Papers (Document Reference DC1 and DC2) and engagement in the GBBCHMA SoCG

(Document References DC6 and SST/ED11) as well as the SoCG agreed between South Staffordshire Council and Dudley Metropolitan Borough Council (September 2024) (Document Reference DC9) are consistent with national policy requirements.

The South Staffordshire FEMA SoCG as referenced above (Document Reference DC5) summarises duty to cooperate activity in a comprehensive manner. The Black Country FEMA Statement of Common Ground has been published in an 'officer agreed' version and has also been signed by the great majority of local authorities (Document Reference SST/ED12).