

Matter 1 Compliance with statutory procedures and legal matters

Issue 1a – Has the Council met the statutory duty to cooperate as set out under Sections 20(5)c and 33A of the Planning and Compulsory Purchase Act 2004

Q1. Has the Council engaged constructively, actively and on an on-going basis in the preparation of the Partial Review, in the context of relevant strategic matters, including meeting any unmet needs from neighbouring authorities? Does the evidence clearly demonstrate the nature of any cooperation activities and the outcomes that have been achieved?

1. The HBF is concerned that it is not always clear from the evidence what outcomes are being achieved through the engagement. It is still not clear to the HBF from the Statement of Common Ground how the issue of unmet needs is being addressed, and whether each of the authorities agree to this approach.

Q2. In relation to Wyre Borough Council's unmet housing needs, a revised approach is set out for paragraphs 1.24-1.27 in the Partial Review. My queries are:

a. How has the duty to cooperate been specifically met in this regard?

2. The HBF does not consider that the information provided in either the Partial Review document or the Statement of Common Ground provide sufficient evidence that the duty to cooperate, in relation to Wyre's unmet housing need, has been met.

b. Does the evidence demonstrate that Wyre Borough Council will be able to deliver unmet housing needs in its own area, or is there still a potential that unmet needs may need to be provided elsewhere?

3. The Statement of Common Ground does not appear to provide evidence that Wyre will be able to deliver their unmet housing needs in its own area, instead it highlights that it will be for Wyre Council to determine how it reviews its housing requirement figure through their own Partial Review.
4. Fylde's Housing Needs and Requirement Background Paper (2020) suggests that as the local housing need (LHN) identified by the Standard Methodology for Wyre is below the housing requirement currently set within the Wyre Local Plan that there will be no unmet need from Wyre. However, this assumption is based on Fylde's own calculations, it is not based on evidence provided by Wyre, and it is not apparent if Wyre would be using the LHN as their housing requirement or whether their own consideration would provide evidence and information to support a figure above the LHN. It is also noted that paragraph 3.34 of the Paper states that the Fylde Local Plan Partial Review needs to plan to allow for a potential level of additional need yet to be determined to provide for the possibility that there will be need that cannot be met in Wyre.

c. The proposed revised wording for paragraph 1.26 states that '*Any housing need that cannot be met in Wyre...is provided for if needed through the new housing requirement range...in the Partial Review...*'. This is based on standard method calculations of assessing housing need which will be discussed under Matter 2, in response to questions posed there. Can the

Council please clarify whether the Partial Review proposes to meet Wyre's identified unmet needs?

5. The HBF considers that it would be beneficial if the Partial Review document was clear about whether it was intending to meet any unmet need, and whether that includes the full 380 homes currently identified by Wyre.

d. Should the Partial Review include a revised commitment to help meet any unmet housing needs, where relevant?

6. The HBF considers that the Partial Review should include a commitment to meet any unmet housing need.

e. Overall, in this regard, is the approach in the Partial Review soundly based?

7. The HBF is concerned that the approach that Fylde intend to take in relation to addressing the unmet housing need arising in Wyre is not clearly set out in the Partial Review, and it is not clear whether any approach has been agreed through the duty to cooperate. Therefore, the HBF does not consider the current approach sound.