

DRAFT – Memorandum of Understanding

This memorandum of understanding establishes a framework for co-operation between Tamworth Borough Council, Lichfield District Council and North Warwickshire Borough Council with respect to the delivery of a proportion of Tamworth's future housing requirement.

It is framed within the Localism Act 2011 and the duty to cooperate set out in Section 110.

This sets out the way in which the authorities will consult one another and work together on matters which affect more than one local authority area.

PARTIES TO THE MEMORANDUM

The Memorandum is agreed by the following Councils:

- Tamworth Borough Council
- Lichfield District Council
- North Warwickshire Borough Council

LIMITATIONS

The Local Authorities recognise that there will not always be full agreement with respect to all of the issues on which they have agreed to cooperate. For the avoidance of doubt, this Memorandum shall not fetter the discretion of any of the local authorities in the determination of any planning application, or in the exercise of any of its statutory powers and duties, or in its response to consultations, and is not intended to be legally binding.

OBJECTIVES

The Memorandum has the following broad objectives:

1. For both Lichfield District Council and North Warwickshire Borough Council to agree to deliver a proportion, identified as at least 500 new homes per authority (representing 1000 in total), of Tamworth's future housing needs within their respective administrative boundaries.
2. To agree and approve the number of houses to be accommodated; their broad locations and the phasing mechanism for their delivery.
3. That in the case of Lichfield District Council, the broad location be restricted to land north of the Anker Valley allocation, and that in the case of North Warwickshire Borough Council they will determine the location of the housing in their Site Allocations DPD;
4. To agree that delivery of the 500 new homes within North Warwickshire will not commence until at 75% of the 1150 proposed homes at Anker Valley Sustainable Urban Neighbourhood and 75% of the remaining housing target are completed, or by 2022, whichever represents the later date.

To agree that delivery of new homes within Lichfield District to meet Tamworth's needs will not commence until 2021 or until the necessary linkages have been delivered within Tamworth Borough, whichever represents the later date.

5. To confirm the potential for joint authority mechanisms to deliver the housing growth, through joint LDF Documents; if considered appropriate and deliverable.
6. To agree the mechanisms for collecting and administering monies arising as a consequence of allocating and approving the housing growth. That both Lichfield District and North Warwickshire Borough Councils are the respective sole collecting authorities for the New Homes Bonus and Section 106/CIL monies resulting from delivering the homes within their administrative boundaries. This, however, does not prejudice any future negotiations between all three named authorities in relation to agreeing contributions to infrastructure that may be provided within Tamworth Borough Council's administrative boundary to support the housing development.
7. To ensure that the Tamworth Borough Council, Lichfield District Council and

North Warwickshire Borough Councils reflect the memorandum through agreed policy wording within their respective Local Plans, and any subsequent LDF Documents.

LIAISON

Member level representatives of the Local Authorities will meet yearly, or more frequently when appropriate, in order to;

- Maintain and update the memorandum, as necessary.
- Monitor the preparation of LDF Documents across the three authorities and discuss strategic issues emerging from them
- Act as a working party to oversee the production of any joint authority LDF documents; should this approach be agreed and will maintain an 'Officer Working Group' to take forward an agreed programme.

TIMESCALE

The Memorandum of Understanding is intended to run up to 2028 to align with the timescale of the three authorities' respective Local Plans but will be reviewed in April 2015 to establish how effective it has been.