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Dear Ian

Coventry and Warwickshire FEMA Updated Memorandum of Understanding on Employment Land
Response by Barberry Ansty Limited

Thank you for your email on behalf of the Inspectors examining the Rugby Local Plan inviting comments on the Coventry and Warwickshire FEMA Updated Memorandum of Understanding on Employment Land (2026). We have reviewed the document and set out below our comments on behalf of Barberry Ansty Limited ('**Barberry**') if you can forward to the Inspectors please.

General Observations

Barberry's first comment relates to the timing of the publication of the updated Memorandum of Understanding **(**MoU) just two weeks before the Examination of the Rugby Local Plan is due to commence. The publication also postdates the hearing Sessions conducted into the examination of the Coventry Local Plan and the subsequent consultation on the Proposed Modifications to that Plan. Notwithstanding what the MoU says has been agreed, it is apparent that the Rugby Local Plan has not been prepared with this in mind, otherwise its publication would have pre-dated the Regulation 19 version of the Plan. The same can also be said for all the other Local Plans in Warwickshire which are either now adopted (Nuneaton and Bedworth), at (or having just completed) Regulation 19 consultation (North Warks/SWLP) or having gone through examination and awaiting the Inspector's report (Coventry). In light of this, the MoU appears to have been signed to address matters that should have been dealt with when these plans were being prepared particularly in respect of how unmet needs within the FEMA are to be addressed. We return to this point below. Its publication now hints that its trying to head off issues that may arise during the forthcoming examination of the Rugby Plan.

It is also of note that the MoU is only signed by Rugby and Coventry Councils at present and that North Warwickshire have not engaged in the process. Without the signatory or active engagement of one of the authorities within the FEMA it undermines the whole MoU as not all parties have confirmed their agreement to it. Nuneaton and Bedworth also have a recently adopted Plan and therefore it is unclear what role they would play in meeting needs. The inference being that this will be revisited when they come to review the Plan.

2. Shared Employment Evidence Base

We note that the local industrial need tables (Tables 1 – 3) remain as previously stated. The key change is in Table 4 where the strategic need for Area 7 increased by 50 hectare from 9 – 84 hectares to 59 – 134 hectares, as a result of the correction to the site area for the Coventry Gateway site. Barberry welcome this change.

3. Progress on Meeting Needs

The exercise carried out in Section 3 of the MoU looks to compare the gross land need requirements with the gross supply of sites over the period 2021 – 45. When the adjustments following para 3.3 are added in the total supply increases by 365.73 hectares which results in total supply exceeding the gross need by between 7 and 22%.

Whilst the headline figure indicates there is a healthy supply that exceeds the need, this doesn't change the findings set out in Table 5 which confirm that there is only 67.7 hectares of land above the identified requirements for local and strategic sites in the various Local Plans. Despite the MoU claiming significant additional sources of supply this does not appear to have changed the amount identified in the respective Local Plans to meet needs.

4. Correction of Errors

Barberry do not agree with the proposition that 50 hectares of land that were originally proposed as part of the Gateway site could be provided elsewhere in the West Midlands Region. The West Midlands Strategic Employment Sites Study looked at opportunity areas around the Midlands and considered whether realistic land parcels exist to accommodate growth and how junctions perform (to accommodate development). Having assessed those Road Opportunity Areas within Warwickshire each was proposed to accommodate a level of development. Simply moving 50 hectares of development to one or more alternative Opportunity Area overlooks the considerations that were assessed when the report was prepared. For example, could another motorway junction function within capacity if a further 50ha of development was located next to it. Furthermore, is there sufficient demand for this additional space and will there be market demand for it in a different Opportunity Area. As it stands, these matters have not been tested and it has not been satisfactorily demonstrated that these 50 hectares would be suitable in a different Opportunity Area and if not, it brings in question whether they will be provided. If not, strategic needs will go unmet.

Barberry also note the point that as need figures for North Warks, Rugby and South Warwickshire are based on the top end of the range for these authorities the reduction in supply from the Coventry Gateway and Baginton Fields do not mean there will be an unmet need for strategic sites. Whilst this may be the case, a reduction in the overall supply would mean that there is less opportunity to accommodate new development than before. As such, less floorspace will be created and fewer jobs generated. From being in a position of meeting needs at the top end of the predicated ranges, failure to replace the Coventry Gateway and Baginton Fields supply would mean that the employment land position within the FEMA is not as positive as it was previously. By suggesting that additional supply is not required to replace that lost at Coventry Gateway and Baginton Fields means that the Plans are not as positively prepared as they were initially.

5. Jobs to Homes Balance

No comment

6. Coventry Unmet Needs

The MoU at paragraph 6.1 confirms that Coventry has an unmet need of 57.23 hectares and that of this 10.3 ha is for big box units and 46.93 ha for smaller units. There is a clearly a significant need for sites that can deliver smaller units.

The MoU then goes on to state that the WMSESS identifies Coventry and Warwickshire as a broad market area and that the FEMA crosses local authority boundaries, where the availability of land and past local plans have influenced completions. The inference being that businesses locate where land or a site is available rather than necessarily choosing a specific

local authority. The MoU confirms that Coventry's needs can therefore be met in principle in any location within the FEMA. For this to be correct sites needs to be identified or allocated in respective Local Plans. Without allocating sites there is no certainty that an occupier, who may be based in Coventry and is looking to move, could find a suitable site to relocate to. Suggesting that there is sufficient land available is not a robust enough approach to ensure a business will want to relocate to a new site.

Barberry also disagree with the MoU that says Coventry's unmet needs can be met on either larger 'strategic sites or on smaller sites. As over 80% of the unmet need is for smaller sites suggesting strategic sites, which would typically be used to develop larger units, is the solution to addressing this need is unrealistic. To meet a need for smaller units, specific sites, which are more suited to meeting the needs of these types of occupier are required and that they should be identified in addition to strategic sites rather than joined together. The risk of doing so is that the strategic sites get taken up by occupiers looking for larger units (which the WMSESS confirms there has been trend for) meaning smaller units are not developed and needs go unmet. A specific smaller/mid box unit site allowance would enable the delivery of these types of units.

Finally, Barberry disagree with conclusion that the level of supply identified in the adopted and emerging plans is sufficient to meet Coventry's unmet needs even when Nuneaton and Bedworth's surplus is removed. If sufficient supply exists Barberry contend that sites should be allocated so it is clear what contribution is being made to meet Coventry's unmet needs. Simply stating that there are sufficient sites in the FEMA provides no certainty as to where or how a need could be met. From an occupiers' perspective, they would want to know what sites and opportunities were available rather than there needs could be in theory be met within the FEMA somehow or somewhere. Barberry wish to restate its position that additional allocations, such as its sites at Junction 2 of the M6, are needed in order to deliver smaller and mid box sized units to meet a need that is not being met in Coventry or by other authorities in the FEMA.

We would be grateful if you could forward our comments to the Inspectors. If there are any queries or questions about the submission please do not hesitate to contact me.

Yours sincerely



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Director

cc J Robinson – Barberry