

Committee: Planning Policy Working Group

Agenda Item

Date: 26 April 2016

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Title: Duty to Cooperate

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Summary

This report updates members on the Duty to Cooperate work.

Recommendation

1. To note the report.

Financial Implications

2. None.

Background Papers

3. None.

Impact

- 4.

Communication/Consultation	Communication and consultation form the bedrock of cooperating. This paper is published on the website.
Community Safety	The Duty to Cooperate will include all factors
Equalities	The Duty to Cooperate will include all factors.
Health and Safety	The Duty to Cooperate will include all factors.
Human Rights/Legal Implications	The Duty to Cooperate will include all factors. Failure to comply would result in the Local Plan being found unsound.
Sustainability	The Duty to Cooperate will include all factors.
Ward-specific impacts	Affects all wards equally.
Workforce/Workplace	This will involve Councillors, officers from the Planning Policy Team and others as necessary.

Situation

5. This report seeks to update members on the Duty to Cooperate which forms part of Section 110 of the Localism Act 2011. The Duty requires local planning authorities, public bodies and others to engage constructively, actively and on an ongoing basis in relation to the planning of sustainable development. An assessment of compliance with the Duty will form part of the Examination of the Local Development Framework (LDF) in due course.
6. The National Planning Policy Framework (NPPF) states in paragraph 178 that 'public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities...(and) the government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities'.

Update

7. **The SHMA Officers Group** met on 13 April. There was an update on the spatial options work and a discussion about the implications of the report of the Local Plan Expert Group. The Group considered traffic modelling and the development of Memorandums of Understanding for the area.
8. The **Cooperation for Sustainable Development Board** met on Tuesday 19 April. A verbal update will be given at the meeting.

Risk Analysis

9.

Risk	Likelihood	Impact	Mitigating actions
Failure to comply with and demonstrate the Duty to Cooperate	2 – Some Councils have been found lacking in this Duty by Inspectors. Therefore need to ensure that we capture as many groups, issues and outcomes as possible to present a full picture of our work.	3 – Will result in the Local Plan being found unsound. Significant impact on planning policy and planning applications.	Cooperate closely with current organisations and continue to do this through the plan making process. Identify any gaps in cooperation and work closely with those bodies to rectify situation.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.