Committee:	Planning Policy Working Group	Agenda Item
Date:	6 April 2017	
Title:	Duty to Cooperate	
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Summary

1. This report updates members on the Duty to Cooperate work.

Recommendations

2. To note the report.

Financial Implications

3. None

Background Papers

4. None

Impact

5.

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

1. 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.

2. 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

3. There was a **Co-op Officers Group** meeting on16 March. The agenda and notes from the previous meeting are attached. The **Co-op Member Board** met on 27 February and 20 March. The agenda and minutes from these previous meeting are appended.

4. There was an officer Duty to Co-operate meeting on 22 March with **Braintree District Council**. A wide range of issues were covered, including commissioning work into the potential West Braintree (Stebbing) Garden Settlement, a framework for a Memorandum of Understanding and progress on respective local plans.

5. Cabinet considered a report on 30 March regarding a Memorandum of Understanding on the Distribution of Objectively Assessed Housing Need across the Strategic Housing Market Area (SHMA) and a Statement of Common Ground between North Hertfordshire District Council and Uttlesford. The Cabinet Report is appended and a verbal update will be given at the meeting.

Conclusion

6. Work with other Councils and organisations continues as part of the integrated work of the Planning Policy Team. As part of the development of the revised plan there are some important Duty to Cooperate meetings to be held and decision to be made. Councillors will be aware that some of these decisions will be difficult and involve a significant amount of discussion and negotiation before an outcome can be secured.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Failure to comply with and demonstrate the	2 – Some Council's have been found	3 – Will result in the Local Plan being	Cooperate closely with current organisations and

Duty to Cooperate	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.	found unsound. Significant impact on planning policy and planning applications.	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.