

Committee: Planning Policy Working Group

Agenda Item

Date: 17 May 2017

10

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.
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 Plan 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 an officer Duty to Co-operate meeting on 10 April with **Braintree District Council**. The meeting focussed on the progress of the respective local plans. The **Co-op Officers Group** met on 13 April. The agenda and notes from the previous meeting are attached. There was a further meeting with **Braintree District Council** and representatives from AECOM on 21 April. The purpose of this meeting was to discuss the emerging concept framework planning work for the potential new settlement west of Braintree. The **Co-op Member Board** met on 24 April. The agenda minutes from the previous meeting are appended.
4. On 26 April officers met with representatives of **Essex County Council**, **Cambridgeshire County Council** and **South Cambridgeshire Council** together with the Council's highways consultants. This was to discuss the potential repercussions of development proposals in the Uttlesford Local Plan on the highway network in south Cambridgeshire. There was a follow up teleconference call with **South Cambridgeshire** on 2 May. A workshop on the **SHMA Functional Economic Market Area** was also held on 26 April with the SHMA authorities. Finally, there was a Member meeting with **Braintree District Council** on 2 May. Where available, minutes from these meetings are appended.

Conclusion

5. Work with other Councils and organisations continues as a key part of the work of the Planning Policy Team. As part of the development of the 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 Duty to Cooperate	2 – Some Council's 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.