

EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 8 DECEMBER 2014  
EXECUTIVE – 6 JANUARY 2015

REPORT BY EXECUTIVE MEMBER FOR STRATEGIC PLANNING  
AND TRANSPORT

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DUTY TO CO-OPERATE UPDATE REPORT

WARD(S) AFFECTED: ALL

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**Purpose/Summary of Report**

- This report presents the notes of the latest Member-level meeting with Harlow Council
- It also sets out progress in setting up the 'Co-Operation for Sustainable Development Group' involving authorities in eastern Hertfordshire, western Essex, and north London.

**RECOMMENDATIONS FOR DISTRICT PLANNING EXECUTIVE**  
**PANEL AND EXECUTIVE: That:**

<b>(A)</b>	<b>the notes of the Member-level meeting held with Harlow Council be noted; and</b>
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<b>(B)</b>	<b>the Terms of Reference for the Member Board of the 'Co-Operation for Sustainable Development Group' of authorities be noted.</b>
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**RECOMMENDATIONS FOR COUNCIL: That:**

<b>(A)</b>	<b>the notes of the Member-level meeting held with Harlow Council be agreed; and</b>
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<b>(B)</b>	<b>the Terms of Reference for the Member Board of the 'Co-Operation for Sustainable Development Group' of authorities be noted.</b>
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1.0 Background

1.1 A report to the District Planning Executive Panel on 28<sup>th</sup> November 2012 (see Background Papers) explained the

background to the Duty to Co-Operate and its implications for the East Herts District Plan. The report explained that the duty required the Council as Local Planning Authority to engage constructively with a range of bodies at the formative stages of plan-making. The duty also applies to other public sector bodies such as the County Council.

- 1.2 The report of 28<sup>th</sup> November 2012 explained that one of the most complex areas of the duty is around the issue of cross-boundary strategic priorities, in particular in relation to the issue of unmet housing need, which applies in the case of districts with little physical capacity to accommodate their housing and development needs.
- 1.3 The report sought agreement for the Executive Member for Strategic Planning and Transport to be authorised to represent East Herts Council in meetings with the relevant Member(s) from neighbouring local planning authorities, Hertfordshire and Essex County Councils, and other relevant bodies.
- 1.4 It was agreed that the notes of all Member-level meetings would be reported back to District Planning Executive Panel. The agreed notes of all meetings to date have been presented to the District Planning Executive Panel and posted online at [www.eastherts.gov.uk/DutytoCooperate](http://www.eastherts.gov.uk/DutytoCooperate)

## 2.0 Report

- 2.1 Subsequent to the Duty to Co-Operate meetings detailed above, a further meeting has subsequently taken place with Harlow Council. The notes of this meeting are attached at **Essential Reference Paper 'B'**. Harlow Council has not yet responded to requests for comment on the meeting notes, but is aware that they are being considered by the Panel and will therefore be public. A further round of meetings with adjacent authorities is currently underway. Notes of any further meetings undertaken will be added to the website as they become publicly available.
- 2.2 According to the Planning Advisory Service (PAS), strategic planning continues to be main stumbling block at the Examination of Local Plans. There is increasing acceptance that difficult issues need to be addressed to ensure that Local Authorities control development. However, PAS advises that there needs to be better understanding that emphasis must be on good strategic planning policies, not just on meeting the Duty to Cooperate. There also

needs to be recognition that managing strategic planning effectively needs strong leadership (Member and officer) and robust governance and working arrangements.

- 2.3 With these principles in mind, the authorities in the Essex/London/Hertfordshire area have sought to establish a suitable mechanism to progress cross-boundary strategic planning. A flexible grouping known as the 'Co-Operation for Sustainable Development Group' (abbreviated as the 'Co-Op Group') has been identified. It includes the following authorities: East Herts, Broxbourne, Harlow, Epping Forest, Uttlesford, Chelmsford, Redbridge, Enfield, Waltham Forest, Hertfordshire, and Essex, plus the Greater London Authority.
- 2.4 The principles upon which the Co-Op Group has been founded are similar to those underlying the Memorandum of Understanding already endorsed by the Council in relation to the 11 Hertfordshire authorities working together through the Hertfordshire Infrastructure and Planning Partnership (HIPP).
- 2.5 An Officer group was previously established as a first step towards establishing formalised arrangements for the Co-Op Group. The Officer group Terms of Reference were presented to District Planning Executive Panel on 22<sup>nd</sup> October 2014.
- 2.6 Further to this, an initial meeting of the Member Board of the Co-Op Group was held on 20<sup>th</sup> October 2014. Once agreed, the minutes of this meeting will be presented to District Planning Executive Panel. The Terms of Reference for this group, as agreed by the constituent local authorities, are contained within **Essential Reference Paper 'C'**.
- 3.0 Implications/Consultations
- 3.1 Information on any corporate issues and consultation associated with this report can be found within **Essential Reference Paper 'A'**.

### Background Papers

- Duty to Co-Operate Update Report (District Planning Executive Panel, 22<sup>nd</sup> October 2014)
- Duty to Co-Operate Update Report (District Planning Executive Panel, 16 January 2014)

- Duty to Co-Operate Update Report (District Planning Executive Panel, 3<sup>rd</sup> December 2013)
- Duty to Co-Operate Update Report (District Planning Executive Panel, 25<sup>th</sup> July 2013)
- 'The Duty to Co-Operate' and East Herts District Plan (District Planning Executive Panel, 28<sup>th</sup> November 2012)

All reports may be accessed at:

<http://online.eastherts.gov.uk/moderngov/mgCommitteeDetails.aspx?ID=151>

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