

EAST HERTS COUNCIL

DISTRICT PLANNING EXECUTIVE PANEL – 9 MARCH 2017

REPORT BY THE LEADER OF THE COUNCIL

DUTY TO CO-OPERATE COMPLIANCE STATEMENT, MARCH 2017

WARD(S) AFFECTED: ALL

Purpose/Summary of Report

- This report presents the Duty to Co-operate Compliance Statement, March 2017.

RECOMMENDATION FOR DISTRICT PLANNING EXECUTIVE PANEL: That Council, via the Executive, be advised that:

(A)	the Duty to Co-operate Compliance Statement be agreed in support of the Pre-Submission District Plan; and
(B)	the Head of Planning and Building Control, in consultation with the Leader of the Council, be authorised to agree any further amendments to the Duty to Co-operate Compliance Statement as required.

1.0 Background

1.1 A report to the District Planning Executive Panel on 28th 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 throughout the plan-making process.

2.0 Report

2.1 A number of authorities across the country have had their Local Plans found 'unsound' at Examination in recent months on the basis that they have not adequately demonstrated that they have met the requirements of the Duty.

- 2.2 In order to help ensure that East Herts is able to demonstrate to an Inspector at Examination that it has met the requirements of the Duty, a Compliance Statement is required. The Statement should identify how the Council has engaged with neighbouring authorities and other organisations throughout the plan making process in order to address strategic cross boundary issues.
- 2.3 An Interim version of the Duty to Co-operate Statement was presented to Panel in October 2016, prior to the commencement of the consultation on the Pre-Submission District Plan. This report now presents an updated version of that document.
- 2.4 Importantly, the updated Compliance Statement, which forms **Essential Reference Paper B** to this report, includes a series Memoranda of Understanding (MoU's). The purpose of the MoU's is to demonstrate how co-operation has taken place and identify the matters that have been agreed. In addition, the outstanding issues for which there is currently no agreement are also identified.
- 2.5 The majority of the MoU's are in draft form, and as such, have not yet been agreed with the relevant parties. The content of these MoU's will be finalised following further discussions with those parties prior to submission of the Plan at the end of March. Delegated authority for the Head of Planning and Building Control, in consultation with the Members of the Panel, to prepare, agree and sign MoU's was agreed at a meeting of the Panel on 25th February 2016.
- 2.6 Delegated authority is now also sought for the Head of Planning and Building Control, in consultation with the Leader of the Council, to agree any further amendments to the Duty to Co-operate Compliance Statement as required, prior to the District Plan Examination.
- 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

District Planning Executive Panel 28th November 2012:

<http://democracy.eastherts.gov.uk/documents/s17132/Duty%20to%20Co-Operate.pdf>

District Planning Executive Panel 25th February 2016:

<http://democracy.eastherts.gov.uk/documents/s32484/Duty%20to%20Co-Operate%20Update.pdf>

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