

## **Duty to Cooperate**

### **Memorandum of Understanding**

#### **Introduction**

This memorandum of understanding establishes a framework for co-operation between the three Local Authorities with respect to strategic planning and development issues.

Local Authorities are required by law through the Duty to Cooperate to engage constructively and actively on an on-going basis on planning matters that impact on more than one local planning area. The duty is further amplified in the National Planning Policy Framework (NPPF) which sets out the key strategic priorities that should be addressed jointly. For the purposes of clarity the NPPF defines strategic priorities as:

- The homes and jobs needed in the area.
- The provision of retail, leisure and other commercial development.
- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management.
- The provision of minerals and energy (including heat).
- The provision of health, security, community and cultural infrastructure and other local facilities.
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

#### **Parties to the Memorandum**

The Memorandum is agreed by the following Authorities:

- South Somerset District Council
- West Dorset District Council
- North Dorset District Council
- Dorset County Council
- Somerset County Council

#### **Limitations**

The Local Authorities recognise that there will not always be full agreement with respect to all of the issues on which they have agreed to cooperate. For the avoidance of doubt, the Memorandum will not restrict the discretion of any of the Local Authorities in the determination of any planning application, or in the exercise of any of its statutory powers and duties, or in its response to consultations, and is not intended to be legally binding.

#### **Objectives**

The Memorandum has the following broad objectives:

- To help secure a broad but consistent approach to strategic planning, transport and development issues across South Somerset, West Dorset and North Dorset Districts.
- To identify and manage spatial planning issues that impact on more than one local planning area within South Somerset, West Dorset and North Dorset Districts.

- To ensure that the local planning and development policies prepared by each Local Authorities are, where appropriate, informed by the views of other Local Authorities within South Somerset, West Dorset and North Dorset Districts. This will normally involve engagement with Development Plan Document and Supplementary Planning Document preparation.
- To ensure that decisions on major, larger than local planning applications are informed by the views of other Local Authorities across South Somerset, West Dorset and North Dorset Districts.
- To support better integration and alignment of strategic spatial and investment priorities in South Somerset, West Dorset and North Dorset Districts, ensuring that there is a clear and defined route where necessary, through the statutory local planning process.
- To identify and agree the infrastructure investment needs associated with proposed development and to address existing issues
- To ensure compliance with the Duty to Cooperate.

### **Strategic Planning, Development Issues and Policy Documents**

We will work together to:

- agree those matters which are strategic in nature, based upon an appreciation of the wider demographic, economic, environmental and social context that affects the area, and up-to-date evidence of development needs;
- agree an integrated and consistent approach to address these needs;
- work together to agree the overall quantity, mix and broad distribution / apportionment of development across the area, including its delivery through necessary strategic infrastructure;
- ensure that where strategic priorities cross local boundaries, we work collaboratively to make sure they are clearly reflected in our individual plans;
- work together on producing joint evidence where it is the most efficient and effective approach;
- ensure appropriate governance arrangements are in place to take forward the commitments in this memorandum..
- if appropriate, meet and discuss any issues raised by one or more of the other Local Authorities and take into account any views expressed on those issues.

### **Development Management**

Each Authority will:

- Notify the Councils party to the Memorandum of any major planning applications, from within its area or on which it is consulted by a Local Authority from outside its area, which would, in its view, have a significant impact on the strategic planning and development of the South Somerset, West Dorset and North Dorset Districts.

## **Liaison and working arrangements**

The parties to the Memorandum, including appropriate Planning Officers and Portfolio Holders, will meet bi-annually (or more frequently where appropriate), unless all parties give their consent to the cancellation of a meeting, in order to:

- Monitor the preparation of policy document across the South Somerset, West Dorset and North Dorset Districts.
- discuss strategic issues emerging from them and agree the resolution of those issues for recommendation to each authority.

<b>Local Authority:</b> South Somerset District Council	<b>Local Authority:</b>
<b>Print Name:</b>	<b>Print Name:</b>
<b>Signature:</b>	<b>Signature:</b>
<b>Date:</b>	<b>Date:</b>
<b>Local Authority:</b> Somerset County Council	
<b>Print Name:</b>	
<b>Signature:</b>	
<b>Date:</b> 28 June 2013	

**This Memorandum of Understanding is to be reviewed 6 months from the date of signing.**