

Duty to Co-operate

A statement on behalf of Transition Town Letchworth
John Webb, v2, 3rd November 2017

Representation no. 4503 by Transition Town Letchworth: Duty to Co-operate
Matter 1, issues 1.1 to 1.5

References

North Hertfordshire Submission Local Plan paras. 1.9, 2.34 to 2.49, 14.2
Duty to Co-operate Compliance Statement, June 2016,
Planning and Compulsory Purchase Act of 2004, section 33A (introduced by the Localism Act 2011) about the Duty to Co-operate
National Planning Policy Framework, March 2012, paras. 180 & 181 about collaboration with a wider range of parties on strategic planning issues.

Soundness

Not justified since ecological considerations would provide a better basis for siting housing developments than administrative boundaries. Not effective since the proposed extent of co-operations appears inconsistent with neighbouring authorities. Fails to demonstrate the extent of fulfilment of the Duty to Co-operate, by not summarising such discussions and arrangements and perhaps also in omitting key examples.

Note: "... we are not seeking at the examination to remedy any non-compliance but rather to make explicit the extent of co-operation and the rationale for it."

Scope: This representation refers explicitly to North Herts. District Council's Duty to Co-operate, as defined in the Planning and Compulsory Purchase Act of 2004 (as revised in 2011). Implicitly, it also invokes the further scope of the NPPF. It might be inappropriate, unfair to the Council and confusing for the public to consider the scope of PCPA section 33A and NPPF para. 180 together. If so, we will address the Duty to Co-operate separately from the expectation of wider collaboration expected under NPPF paras. 180-181.

STATEMENT

We were not able readily to assess the consistency or completeness of the planned measures for co-operation. In our submission we have suggested modifications to assist with such assessment.

In particular we would find it very helpful to see a chart of the kinds, extents and durations of co-operative efforts with the relevant authorities. This could usefully be extended so as to outline the existing and planned schemes of collaboration with other, non-council agencies and institutions.

EXAMPLES

Co-operation not identified: North Herts/East Herts Joint Waste Collection Project

The Joint Waste Collection project between North Herts. District Council and East Herts. District Council was facilitated by the Hertfordshire Waste Partnership. A joint contract was awarded on 16 October 2016 for operations to commence in May 2018. It serves as a pilot initiative and inspiration for the other waste collection authorities in the county and beyond. This is an operational development, yet at the district and county levels it is strategic by virtue of operating across the WCAs' administrative boundaries.

This scheme deserves to be cited as exemplary toward the aim of para. 7.5, Travel Plans, of the Submission Local Plan: "We and / or the County Council may require other supporting documents to assess the development, particularly to ensure appropriate arrangements are in place to facilitate delivery, servicing and / or waste collection."

As this is a service delivered to all households, it forms an extensible base of knowledge, modelling and operation that could encompass new developments with optimum routing across both districts. If such a remarkable initiative was overlooked in the draft Local Plan, what else in the council's co-operative efforts and achievements may have been overlooked?

Collaborative working not identified: Letchworth Garden City Heritage Foundation

For instance, as in the Submission Local Plan para. 9.16: "For development proposals in Letchworth Garden City reference should be made to the Design Principles available on the Heritage Foundation's website." Whilst their respective planning schemes operate in parallel, there are both regular and ad-hoc arrangements for communication and collaboration between the Council and the Foundation. The same is expected to apply to the Council's relations with other major landowners and businesses based and/or operating in the locality.