

DUTY TO COOPERATE STATEMENT

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1. INTRODUCTION

- 1.1 Councils and other public bodies have been co-operating on resolving strategic planning issues for many years. However with the abolition of structure and regional plans, a ‘duty to co-operate’ has been introduced as a legal requirement of the plan preparation process.
- 1.2 Section 110 of the Localism Act sets out this duty to co-operate. It requires that councils and public bodies ‘engage constructively, actively and on an ongoing basis’ to develop strategic policies, and consider joint approaches to plan making.
- 1.3 The public bodies relevant to this area, as listed in Part 2 of the Town & Country Planning (Local Planning) (England) Regulations 2012, are:
- Environment Agency
 - English Heritage
 - Natural England
 - Civil Aviation Authority
 - Homes and Communities Agency
 - Primary Care Trusts
 - Office of the Rail Regulation
 - Highways Agency
 - Highway Authorities
 - Marine Management Organisation
- 1.4 Local Enterprise Partnerships are not currently covered by the 'duty to cooperate', but have been identified in the regulations as bodies that those covered by this duty ‘should have

regard to' when preparing local plans and other related activities. The government has signalled that Local Nature Partnerships should similarly be considered.

- 1.5 Paragraph 156 of the national planning policy framework sets out the strategic issues where co-operation might be appropriate. This encompasses
- 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, and the provision of minerals and energy (including heat);
 - the provision of health, security, community and cultural infrastructure and other local facilities; and
 - climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.
- 1.6 Paragraphs 178-181 highlight the importance of joint working to meet development requirements that cannot be wholly met within a single local planning area, through either joint planning policies or informal strategies such as infrastructure and investment plans. The guidance states that 'Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans'. It also talks of the cooperation between county and district authorities in delivering sustainable development. The mechanisms by which this is achieved should be made clear, and not be a one-off consultation but an on-going, continuous process from planning through to delivery.
- 1.7 This document provides an overview of how the duty to cooperate has been followed. It sets out:
- The decision on preparing a joint local plan
 - The joint memorandum of understanding
 - Joint studies and reports
 - Issues where the potential need for strategic policies has been identified, and what cooperation there has been
 - Monitoring how the duty is met

2. PREPARING A JOINT LOCAL PLAN

- 2.1 In June / July 2011 West Dorset District Council and Weymouth and Portland Borough Council made the decision that a joint Local Plan for Weymouth & Portland and West Dorset be prepared, which on its adoption would replace the two existing adopted Local Plans. They agreed that the work undertaken so far on the two Core Strategies (including the evidence base and consultation to date) would inform the preparation of the new plan. Decisions on the emerging plan, and the final decision to adopt, would be made by each of the two councils, with each retaining decision-making responsibility over its own area.
- 2.2 There were a number of factors driving this decision:
- The changes to the national planning system that had been set out in the Localism Bill. This included the shift towards more local control over planning decisions, such as the targets for the amount of development to take place.
 - The strategic housing market area that comprised both council areas – on which a number of joint evidence reports would be based.
 - The proximity of the built-up area of Weymouth to the West Dorset boundary, meaning that options for Weymouth's growth include development in West Dorset. Land at

Chickerell and Littlemoor within West Dorset District effectively forms part of the greater Weymouth urban area.

- Efficiency savings for both councils in the preparation of the plan and related policy documents (for example having one public examination rather than two)
- The provision of a consistent policy framework for the joint development management officer team.
- The knowledge that deciding to prepare a joint plan should not result in significant delay to the West Dorset programme, and would result in a delay of around only seven months to Weymouth & Portland.

2.3 An indicative programme was published at that time:

	2011							2012							2013										
	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J
Stakeholder consultation workshops																									
Wider public consultation																									
Submission document consultation																									
Submission for examination																									
Public examination																									
Inspector's Report																									
Adoption																									

3. THE JOINT MEMORANDUM OF UNDERSTANDING

- 3.1 Senior managers responsible for planning functions across Dorset met in 2012 following the publication of the National Planning Policy Framework. At this meeting they considered the benefits of a memorandum of understanding on the Duty to Cooperate. Such an agreement would show the councils' intent to work together to meet the requirements in the NPPF and the Localism Act. Such an agreement would build on the strong foundation of existing joint working, extending this to a range of statutory agencies and other organisations including neighbouring planning authorities that share boundaries with any of the Dorset councils.
- 3.2 Reports were taken to both West Dorset District Council and Weymouth and Portland Borough Council in October / November 2012, where it was agreed that the Memorandum of Understanding, attached at **Appendix 1**, be signed and that authority be delegated to the Director of Environment to make minor amendments as necessary beforehand.
- 3.3 A separate Memorandum of Understanding has also been developed with South Somerset District Council: this was signed on behalf of West Dorset District Council in May 2013 and is attached as **Appendix 2**.

4. JOINT STUDIES AND REPORTS

- 4.1 The two councils have worked together, and with a range of other organisations, in producing the extensive evidence base supporting the local plan.
- 4.2 Indeed extensive co-operation was undertaken between all Dorset councils in drafting evidence that was submitted as part of the preparation of the South West Regional Spatial Strategy, some of which remains relevant. The work involved extensive officer working authorised through a Bournemouth, Dorset and Poole Joint Strategic Planning Committee. This included cooperation with the South West Regional Assembly in producing such reports as the Functional Analysis of Settlements and the Review of Urban Housing Capacity and Potential Studies in The South West.
- 4.3 Examples of other joint work include the Strategic Housing Market Assessment undertaken in 2008, to assess need and demand for different size and tenure of housing across the housing

market area. This was coordinated as part of a wider Dorset Group that provided a consistent approach to the assessment of local needs across the county. The 'Bournemouth, Dorset and Poole Workspace Strategy', was commissioned on behalf of all the Dorset authorities and the South West Regional Development Agency. Another example is the Bournemouth, Dorset and Poole Renewable Energy Strategy to 2020. This has been developed, and is being implemented, by Dorset Energy Partnership (formerly the Dorset Energy Group). The group comprises all Dorset authorities and community sector representatives. The strategy was endorsed by 34 organisations.

- 4.4 A list of key evidence compiled through joint working used in the preparation of the local plan is given in **Appendix 3**.

5. STRATEGIC ISSUES

- 5.1 The introduction to the local plan includes a section on the duty to cooperate. It highlights that the joint plan shows how the cross-boundary issues between Weymouth and the adjoining areas of West Dorset are being addressed. This primarily relates to growth at Littlemoor. It also identified three further areas where West Dorset District Council is liaising on cross-boundary working. These are:
- - Lyme Regis / Uplyme working with East Devon District Council
 - - Crossways / Moreton working with Purbeck District Council
 - - Edge of Yeovil working with South Somerset District Council
- 5.2 In addition to this, there is joint working underway to produce a Gypsy and Traveller Development Plan Document for Bournemouth, Poole and the county of Dorset.
- 5.3 There is also significant cooperation on environmental issues – namely the Dorset AONB management, the Dorset and East Devon World Heritage Site, and the approach to mitigation of impacts on European sites. And there is a history of joint working on securing economic growth, through the Multi-Area Agreement.

LITTLEMOOR (WEYMOUTH AND PORTLAND / WEST DORSET)

- 5.4 The local plan recognises that the Littlemoor area has the potential to deliver significant employment and also new homes. A major urban extension is planned that falls across the boundary of both council areas. This is expected to deliver at least 12ha of employment, in the region of 500 new homes and related community facilities including public open space and land for a new primary school.
- 5.5 In order to plan properly for this scale of development, the local plan requires that the site should be developed in accordance with a masterplan prepared jointly by West Dorset District Council and Weymouth and Portland Borough Council, working with the landowners, local community and key service providers. The masterplan will need to be subject to a BREEAM for Communities Assessment from a licensed assessor.
- 5.6 The infrastructure delivery plan highlights the following specific requirements:
- Education – provision of land for replacement 3FE school (Bincombe Valley Primary CE VA First School) /contributions to improvements (off-site)
 - Improvements to library provision (extension of existing Littlemoor Library) (off-site)
 - Improvement to museum provision (off-site)
 - Provision of play areas
 - Allotment provision (on/off-site)
 - Lorton Valley Nature Park (off-site)
 - Landscape mitigation

- Highway integration improvements (inc. pedestrians and cyclists)
- Weymouth Town Centre Flood Defence (off-site via CIL)
- Water – Upgrading to trunk main network and potential need for new service reservoir or on-site booster facility, local upgrading and new connecting sewer

5.7 In addition to the developer, the delivery agencies would include:

- Dorset County Council
- Weymouth & Portland Borough Council
- West Dorset District Council
- Wessex Water

5.8 The local plan lists Littlemoor Urban Extension as one of a number of larger more complex strategic allocations, where some forms of infrastructure will need to be provided as part of the development. Infrastructure requirements for the site will be secured through a planning obligation and excluded from the Community Infrastructure Levy charge.

LYME REGIS / UPLYME (WEST DORSET / EAST DEVON)

- 5.9 The coastal town of Lyme Regis, in West Dorset, lies close to Uplyme in East Devon. The area around the town is within either the East Devon or Dorset AONB, and there are also constraints of land instability and highway access that limit the potential for development.
- 5.10 It is important that West Dorset District Council work with East Devon District Council, Lyme Regis Town Council and Uplyme Parish Council to ensure that the most appropriate solutions to meeting local needs of both communities are fully explored. Proposals for growth could be brought forward through a neighbourhood plan or a development plan document, potentially covering both local planning authority areas. A policy has been included in the local plan to this effect.
- 5.11 An initial meeting was held (involving representatives from the two district councils, Dorset County Council and Lyme Regis Development Trust) in June 2010 to discuss cross-border planning policy and education issues. Prior to this meeting officers from West Dorset had already highlighted the need to investigate to what extent sites in the adjoining area of Uplyme could help meet the housing and employment needs of Lyme Regis, as part of their work on the Core Strategy. As a result of this, West Dorset District Council provided a briefing note to enable the issue to be raised with East Devon members at the next available LDF Members Panel in July 2010. At that time the two councils were planning to consult on their preferred approach / issues and options in the Autumn. In response to this consultation, we requested that the East Devon plan made reference in their plan to Lyme Regis as a small town bordering East Devon, and that to enable the most sustainable option for Lyme Regis's growth to be identified, the two councils should work jointly on this matter. Members and officers from the district council were invited to attend the next meeting of the East Devon District Council LDF Panel to discuss potential expansion of Lyme Regis into East Devon. There was general agreement on the importance of cross-boundary working and discussions.
- 5.12 Officers from both councils continued to liaise as both plans progressed. East Devon District Council's preferred approach was to put the onus on Uplyme Parish Council, working in conjunction with partners, to take the lead on determining appropriate scales and locations for development in their area. They considered that the allocations and any other relevant policies could then feature in a villages/rural area development plan document.
- 5.13 In August 2012 East Devon District Council consulted on the potential scope of a new planning policy document for East Devon villages. West Dorset District Council's response highlighted the need to work with the adjoining local planning authority and communities to identify

potential cross-boundary issues and how these can be addressed through a joined-up approach to planning policy at a local level.

- 5.14 In December 2012, East Devon District Council consulted on their pre-submission draft local plan. West Dorset District Council objected to there being no reference to the relationship with Lyme Regis or flexibility to allow future options for the long-term growth of Lyme Regis to be explored in the plan. This was of particular concern as some of the policy wording could have precluded the ability for this matter to be addressed through neighbourhood plans, and it was not clear whether this issue would be addressed through the proposed East Devon Village DPD, or whether a joint DPD might be considered.
- 5.15 Most recently Uplyme Parish Council has requested a neighbourhood area to be designated, based on the extent of Uplyme Parish. The council's response to this consultation highlights that the decision on the area designation should take into account how the district and parish councils can work together effectively to plan for the necessary growth to meet the needs of both Lyme Regis and Uplyme communities, and asks that a meeting of representatives from the two district councils, Uplyme Parish Council and Lyme Regis Town Council be held to discuss how this can be achieved.

CROSSWAYS / MORETON (WEST DORSET / PURBECK)

- 5.16 Crossways is a large village that has a comparatively short history, developing from a World War 2 fighter base which operated until 1946, and then becoming an important area for sand and gravel extraction. It now has a population of just over 2,000. Due to the relatively unconstrained nature of the available land around the village, Crossways has the potential for a significant scale of development. Moreton Station within the adjoining parish of Moreton in Purbeck is on the Weymouth to Waterloo rail line and provides an opportunity for public transport accessibility to jobs, shops and services.
- 5.17 Officers from both district councils met in Crossways in May 2010 to visit the potential development sites that were under consideration in preparation for the Core Strategy at that time.
- 5.18 A further officer meeting was held at Purbeck District Council in March 2012, prior to the publication of the pre-submission draft local plan, to highlight the likely strategic allocation of up to 1,500 new homes at Crossways, and at least 7ha of employment land, on the western boundary of Purbeck. It was recognised that some infrastructure may be required within Purbeck in relation to the connection to the railway station.
- 5.19 Comments from Dorset County Council to the pre-submission draft highlighted the potential need for minerals safeguarding. This related to the emerging policies in the Bournemouth, Dorset and Poole Minerals Local Plan Core Strategy, which was subject to consultation in October 2012. The council sent a response to the consultation that although the strategy made clear that it is likely that any conflict (in relation to the major sites) could be overcome, it was not clear where this is evidenced. A meeting was subsequently arranged with the two councils and representatives of landowner / developers, which highlighted that the landowner / developer should undertake a study to assess the potential for viable prior extraction. It was made clear in a subsequent email dated November 2012 that, if the site is ultimately to be developed, and it contains viable mineral deposits that can feasibly be removed, the Mineral Planning Authority would want to see some mineral extracted, leaving an undisturbed surface above the winter water table that can be built on. It was stressed that the Mineral Planning Authority would take a pragmatic view to this issue, bearing in mind the importance of avoiding unnecessary delay. The Minerals Local Plan Core Strategy was examined in May 2013.

- 5.20 The matter of development at Crossways was also raised at the Purbeck Core Strategy examination. The Inspector's report (dated 31 October 2012) included a commitment to a 'Future Partial Review' to commence in 2013 (with adoption in 2017). Amongst other things, it was recognised that this will enable the council to co-operate with West Dorset District Council with respect to potential development at Crossways.
- 5.21 Network Rail were also contacted in November 2012 to check that they had no comments to make on the pre-submission consultation, despite the development having implications in terms of the capacity and suitability of the existing rail network and associated infrastructure. The potential to construct a footway/cycle path over the railway line to the north of Crossways to allow safe pedestrian and cycle access to the proposed recreation area also needed to be explored. The Transport Accessibility Appraisal, prepared by David Tucker Associates for Broadway Malyan on behalf of Woodford Farms (one of the major landowners) was also made available. As a result, a number of subsequent meetings were held. This highlighted that, for a strategic allocation of 1,200 to 1,500, improvements should be made to Moreton Level Crossing and Woodsford 38 (upgrading them to full barriers at a cost of approximately £1M each). A new foot/ cycle bridge over the railway could be installed as opposed to making changes to Woodsford 27, potentially linking to the existing cycleway and to Moreton Station (at a cost estimate of £1,000,000).
- 5.22 The local plan (as proposed to be modified) allocates land to the south-east of the village, on the southern side of the Warmwell Road, to deliver in the region of 500 new homes and a minimum of 3.5 ha for employment. The plan recognises that further work is needed to properly plan the development, including the necessary phasing of infrastructure. Cross-boundary cooperation with Purbeck District Council is needed to ensure that the road and rail connections and impact on nearby heathlands is reflected in both local plans. The plan states that the site should be developed in accordance with a comprehensive masterplan for the village prepared in conjunction with Crossways Parish Council, adjoining parish councils, Dorset County Council, Purbeck District Council, Network Rail and the local community, and agreed by West Dorset District Council. The masterplan will need to be subject to a BREEAM for Communities Assessment.
- 5.23 The infrastructure delivery plan highlights the following specific requirements:
- Highway improvements (including A35 Trunk Road and access).
 - Rail Improvements, e.g. Lewell Bridge
 - Provision of Suitable Alternative Natural Green Space (SANGS)
 - Mitigation for nutrient discharge to Poole Harbour
 - Improvements to education provision (off-site).
 - Improvements to library provision (off-site).
 - Improvement to museum provision (off-site).
 - Provision of community facilities.
 - Water – Potential reinforcement works for water supply. Potential requirement for new link to Warmwell sewage pumping station.
 - Electricity – Likely to require substation installation and off-site works.
- 5.24 In addition to the developer, the delivery agencies would include:
- Dorset County Council
 - Crossways Parish Council
 - Highways Agency
 - Wessex Water
 - Scottish & Southern Energy; Southern Gas Networks; National Grid;
- 5.25 The local plan lists Crossways as one of a number of larger more complex strategic allocations, where some forms of infrastructure will need to be provided as part of the development.

Infrastructure requirements for the site will be secured through a planning obligation and excluded from the Community Infrastructure Levy charge.

EDGE OF YEOVIL (WEST DORSET / SOUTH SOMERSET)

- 5.26 Yeovil is a strategically significant settlement that lies very close to West Dorset and provides employment, shopping and services to West Dorset residents. It is the largest town in South Somerset and proposed for significant growth, including a major mixed-use urban extension. The functional edge of Yeovil extends into West Dorset in an area known as Babylon Hill, which includes an out of town retail centre.
- 5.27 The main issues have therefore been in relation to the strategic growth proposals for Yeovil and the implications that this could have for areas of West Dorset. The area of search for the urban extension included land to the west of Yeovil extending into West Dorset District. Other significant issues have been those around the future of the Babylon Hill retail centre and any potential impact that developments within or extending this area would have on Yeovil town centre.
- 5.28 Representatives from the two councils have met on a number of occasions to discuss the potential urban extension, dating back to initial meetings in March / April 2010, including member-level meetings as well as officer meetings.. Officers also attended South Somerset's series of workshop meetings that took place to discuss options for the future of the Yeovil area. At that stage there were three potential options identified; Brympton / Coker, Dorset / Over Compton (West Dorset), and Barwick / Keyford (Preferred Option). The district council formally responded to the subsequent consultation in December 2010 to support the identification of the East Coker, Keyford and Barwick area (south of Yeovil) as the preferred location for the urban extension to Yeovil. The report made clear that the council would welcome further opportunities for involvement in the development of proposals, particularly in relation to traffic management and planning obligations. It has been agreed that joint working will continue through the masterplanning process because of potential traffic impact on West Dorset villages. Officers of Dorset County Council have continued to be involved in meetings on the development of the transport strategy.
- 5.29 In relation to Babylon Hill, the policies in the emerging South Somerset Local Plan are to focus on town centre first approach, and place a ceiling on retail development in Yeovil in order to prevent overtrading and adverse impacts. In response to the consultation on the local plan, South Somerset requested that the policy and text should make clear that the sequential test will apply to Yeovil as well as centres in the plan area. A modification has been proposed as a result. The council also raised concerns that the policy approach allowing an affordable housing exception site on the edge of Yeovil would not be suitable. No change has been proposed in this respect as it would not be appropriate to dismiss opportunities on the edge of Yeovil, if a proposal came forward which met the criteria of the policy. In such circumstances the council would look to South Somerset to comment on the local need and suitability of the site to meet that need.
- 5.30 The South Somerset Local Plan Core Strategy was examined in May 2013.

GYPSY AND TRAVELLER DEVELOPMENT PLAN DOCUMENT (ACROSS DORSET)

- 5.31 All the local authorities in Dorset are working together to produce a joint Gypsy and Traveller Development Plan Document. This will set out a clear strategy, allocating sufficient suitable permanent and transit sites for Gypsies and Travellers and Travelling Showpeople for the next 15 years. Consultants have been appointed to help.
- 5.32 Public consultation on the Issues and Options (including site options) took place between November 2011 and February 2012. Nearly 10,000 individual responses were received in

response to the consultation, along with a further 6,400 signatures to various petitions. In March 2012 the Government introduced a revised planning policy for traveller sites, which replaced the previous guidance under which the DPD was being produced. This has meant that the consultants have had to re-assess the accommodation needs. A number of alternative sites to those set out in the consultation document were proposed as part of the consultation responses. A further sites consultation is now planned on those sites that were put forward.

5.33 The next key stages and likely timescales are:

- Further consultation on sites: November / December 2013
- Pre-submission consultation on draft plan: July - September 2014
- Submission: February 2015
- Examination: starting May 2015
- Consultation on any proposed changes: to follow Examination
- Adoption: by April 2016

ENVIRONMENTAL ISSUES (DORSET AND SURROUNDING AREAS)

5.34 There is considerable joint working through the Dorset AONB Partnership towards the management of the AONB, which covers much of the plan area and extends into Purbeck, North Dorset and small parts of Somerset and Devon. The Partnership brings together a range of organisations. It produces a 5 year Management Plan to set a vision for the future of the AONB and guide action. The management plan has helped support locally coordinated projects such as Wild Purbeck, Pastures New and the Dorset Wild Rivers Project.

5.35 The local plan policies makes specific reference to the taking into account the objectives of the Management Plan. A similar partnership and policy approach is taken on the management of the Dorset and East Devon Coast World Heritage Site.

5.36 The councils have also developed a close working relationship with Natural England in relation to the assessment and mitigation of development where this may impact on sites of European nature conservation importance.

In particular the potential impact of development on the Dorset Heathlands and Poole Harbour are highlighted in the local plan. The South East Dorset local authorities are cooperating on the production of a joint Development Plan Document to address the heathland mitigation issues in that area: as West Dorset is on the edge of the area and only a small proportion of the district is covered, it was jointly agreed that West Dorset and North Dorset would not join in with the DPD but would develop similar approaches within their local plans. Joint meetings have been taking place between Natural England, the Environment Agency, Wessex Water and surrounding local authorities in order to progress the work required to address the problems of nutrient enrichment of Poole Harbour. A final Nitrate Management Strategy for Poole Harbour was completed in June 2013 and joint work on its implementation is ongoing.

DORSET AONB PARTNERSHIP

- Country Landowners Association
- Destination Dorset
- Devon County Council
- Dorset Association of Parish & Town Councils
- Dorset Biodiversity Partnership
- Dorset County Council
- East Devon District Council
- English Heritage
- Environment Agency
- Forestry Commission
- National Farmers Union
- Natural England
- North Dorset District Council
- Purbeck District Council
- Somerset County Council
- South Somerset District Council
- The National Trust
- West Dorset District Council
- Weymouth & Portland Borough Council

- 5.37 Other examples of joint working on environmental issues include the production of the Shoreline Management Plan and work on the Coastal Communities Pathfinder.
- 5.38 A Local Nature Partnership for Dorset has now been agreed. This will be directed by a Board to provide strategic leadership and link to leaders and strategic partnerships in other sectors. The Board has its first meeting in April 2013. It will be supported by a working group (yet to be appointed) and a broad forum of partners from all sectors.

ECONOMIC ISSUES (DORSET)

- 5.39 The councils across Dorset, Bournemouth and Poole signed up to a Multi-Area Agreement in 2008, based around a vision of 'to develop a strongly performing economy, characterised by a greater concentration of higher skilled, higher paid jobs than now and to do this while respecting and protecting our unique environmental assets.' The agreement focused on four themes: Skills, Transport, Housing and Environment. The councils also worked together in drawing up a Local Investment Plan in 2010, working with the Homes and Communities Agency, to identify a strategy for investment and targeted priorities.
- 5.40 The Dorset Local Enterprise Partnership was agreed in July 2011. A Board has been formed, consisting of ten business people, four local authority representatives, and two from the Higher and Further Education sectors. Work is commencing on the Business Plan. The objectives of the Dorset LEP are:
- To improve the performance of existing businesses within Dorset, and to encourage the growth of new ones, for example, through inward investment
 - To enhance the skills of our current and future workforce
 - To improve electronic and physical connectivity, particularly through high speed broadband coverage
 - To create the conditions for enterprise, with an initial focus on establishing an agreed framework for spatial planning

6. MONITORING

- 6.1 The consultation and involvement of all these key stakeholders through the various stages of plan preparation has helped to build a good understanding of key issues and develop good working relationships. These are key to the successful delivery of the local plan, and it is important that this is continued. Look forward, continuing cooperation will also be needed in other aspects of planning, including:
- masterplanning work for the major strategic allocations,
 - updating and reviewing the live Infrastructure Delivery Plan,
 - the supplementary guidance on Coastal Change Management, Planning Obligations, the Green Infrastructure Strategy,
 - neighbourhood planning
- 6.2 In terms of documenting co-operation beyond the development of the Local Plan, details of the co-operation we have had and actions undertaken with local authorities and prescribed bodies will be set out in the councils' monitoring reports.

APPENDIX 1 – DORSET MEMORANDUM OF UNDERSTANDING

DRAFT DORSET MEMORANDUM OF UNDERSTANDING ABOUT THE DUTY TO COOPERATE ON STRATEGIC PLANNING MATTERS

Introduction

1. In accordance with the National Planning Policy Framework (NPPF), councils and other partner organisations in Dorset (including Bournemouth and Poole) are committed to working together to deliver strategic priorities for the area in a sustainable way. These priorities may include:
 - the homes and jobs needed in the South-East Dorset and Weymouth & Dorchester Housing Market Areas;
 - retail, leisure and other commercial development;
 - infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - health, security, educational, community and cultural and green infrastructure and other local facilities; and
 - climate change mitigation and adaptation, habitat impact mitigation, conservation and enhancement of the natural and historic environment including landscape.
2. This document sets out how the responsible organisations will cooperate on strategic planning matters to deliver these priorities.

Statutory basis

3. Section 110 of the Localism Act sets out a new 'duty to co-operate'. This applies to all local planning authorities, national park authorities and county councils in England – and to a number of other public bodies. The new duty:
 - relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a county council;
 - requires that councils set out planning policies to address such issues;
 - requires that councils and public bodies 'engage constructively, actively and on an ongoing basis' to develop strategic policies; and
 - requires councils to consider joint approaches to plan making.

Responsible authorities

4. All of the councils in Dorset (Dorset County Council; Borough of Poole; Bournemouth Borough Council; Christchurch Borough Council; East Dorset District Council; North Dorset District Council; Purbeck District Council; West Dorset District Council; and Weymouth and Portland Borough Council) have signed up to this memorandum of understanding. Other agencies who will be invited to sign include:
 - Neighbouring planning authorities that share borders with any of the above councils
 - Environment Agency
 - English Heritage
 - Natural England
 - Civil Aviation Authority
 - Homes and Communities Agency
 - Primary Care Trusts (or whatever takes their place)
 - Office of the Rail Regulator
 - Highways Agency
 - Marine Management Organisation

- Dorset Local Enterprise Partnership
 - Dorset Local Nature Partnership
 - Dorset Area of Outstanding Natural Beauty Partnership Board
5. These bodies will co-operate with councils on issues of common concern to develop sound local plans.

What we are committed to doing

6. In line with the NPPF, all signatories to this document want to deliver sustainable development that meets the needs of the present without compromising the ability of future generations to meet their own needs. We want to work together to address strategic and cross-boundary issues within our plans. . Specifically, we will:
- agree those matters which are strategic in nature, based upon an appreciation of the wider demographic, economic, environmental and social context that affects the two Housing Market Areas, and up-to-date evidence of development needs across the areas;
 - agree an integrated approach to address these needs;
 - work together to assess the overall quantity, mix and broad distribution / apportionment of development within each of the two Housing Market Areas, including its delivery through necessary strategic infrastructure;
 - ensure that where strategic or local priorities cross local boundaries, we work collaboratively together to make sure they are clearly reflected in our individual plans;
 - work together to consider whether, if development needs in one area cannot be met, we can plan to meet them, where it is reasonable to do so, elsewhere in the same Housing Market Area or neighbouring areas;
 - work together to resolve barriers to sustainable development;
 - continue to work together on producing joint evidence where it is the most efficient and effective approach;
 - continue to work together on joint plans where it is the most efficient and effective approach;
 - engage constructively, actively and on an ongoing basis to deliver sustainable development; and
 - ensure appropriate governance arrangements are in place to take forward the commitments in this memorandum.

Dispute resolution

7. There may be times when the signatories to this memorandum cannot reach agreement. This may be perfectly acceptable. The duty to cooperate does not mean that all agencies always have to agree. It is important to have mechanisms for dealing with such disputes. If resolution cannot be reached, the matter will be referred to the Dorset Environment Managers Group. The Dorset Environment Managers Group will liaise with other appropriate signatories to consider if the issue can be resolved before referral to individual signatory organisations for their own resolution.

APPENDIX 2 – SOUTH SOMERSET MEMORANDUM OF UNDERSTANDING

Duty to Cooperate Memorandum of Understanding

Introduction

This memorandum of understanding establishes a framework for co-operation between the five 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
- 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;
- Notify the Councils party to the Memorandum at each consultation stage in the preparation of its local development documents and, in the case of a County Council, plans relevant to its statutory function; Waste and Minerals and Local Transport.
- Notify the Councils of consultation on any other policy document which, in its view, would have a significant impact on strategic planning or development within the region.
- Agree an integrated approach to address these needs;
- Assess 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;
- Produce 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.

Local Authority:	Print Name:	Signature:	Date:
South Somerset District Council			

North Dorset District Council			
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West Dorset District Council	Hilary Jordan Spatial & Community Policy Manager		17 June 2013
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Somerset County Council			
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This Memorandum of Understanding is to be reviewed 6 months from the date of signing.

APPENDIX 3 - JOINT EVIDENCE BASE

STUDY	AREA COVERED	ORGANISATIONS INVOLVED	DATE
Affordable Housing and Developer Contributions study	West Dorset Weymouth and Portland	Dorset County Council and all Dorset local planning authorities.	2010 / 2012
Coastal Risk Planning Guidance	West Dorset Weymouth and Portland	West Dorset District Council and Weymouth and Portland Borough Council	[2013]
Economic vision for Dorchester and Weymouth	Dorchester and Weymouth	Homes and Communities Agency, West Dorset District Council and Weymouth and Portland Borough Council	2008
Employment Land Review	West Dorset Weymouth and Portland	West Dorset District Council and Weymouth and Portland Borough Council	2013
Energy Efficiency / Renewable Energy Strategies	Bournemouth, Dorset and Poole	Dorset Energy Partnership – which has 20 core members, including all the Dorset councils and other stakeholders across the community and business sectors	2009 / 2013
Functional Analysis of Settlements	South West Region	Work commissioned by the South West Regional Assembly	2005
Gypsy / Traveller Needs Assessment	Dorset	Dorset County Council and all Dorset local planning authorities.	2006
Housing Market Assessment	Dorset	Dorset County Council and all Dorset local planning authorities.	2008 / 2011
Review of Urban Housing Capacity and Potential Studies in The South West	South West Region	Work commissioned by the South West Regional Assembly	2005
Town centre retail and leisure study	Dorchester, Weymouth and the West Dorset market towns	West Dorset District Council and Weymouth and Portland Borough Council	2008 / 2010
Urban Extensions study	Dorchester and Weymouth areas	Dorset County Council, West Dorset District Council and Weymouth and Portland Borough Council	2008
Workspace Study	Bournemouth, Dorset and Poole	Homes and Communities Agency, Dorset County Council and all Dorset local planning authorities.	2008 / 2012