DUTY TO CO-OPERATE IN RELATION TO PLANNING OF SUSTAINABLE DEVELOPMENT

1.0 Introduction

- 1.1 Section 110 of the Localism Act inserts S33A (Duty to co-operate in relation to planning of sustainable development) in Part 2 of the Planning and Compulsory Purchase Act 2004 (local development) (as amended). The duty to co-operate requires each person who is:
 - (a) a local planning authority;
 - (b) a county council in England that is not a local planning authority; or
 - (c) a body, or other person, that is prescribed or of prescribed description.

to co-operate with every other person specified above in maximising the effectiveness with which the following **relevant** activities are undertaken, so far as relating to a strategic matter:

- the preparation of development plan documents;
- the preparation of other local development documents.
- 1.2 A person subject to the duty must have regard to any guidance given by the Secretary of State about how the duty is to be complied with. At the time of writing this statement, there is no such guidance that the Council is aware of, which has been published by the Secretary of State. There are also limited examples yet of Core Strategies that have been examined in the light of the Duty to Cooperate to get a full understanding of how Inspectors are likely to interpret the requirement.
- 1.3 The Planning Advisory Service has published some limited guidance on the duty to co-operate titled 'a simple guide to strategic planning and the duty to co-operate'. It addresses ten potential questions that could be considered in seeking to comply with the duty to co-operate. The guide has informed this statement.
- 1.4 The Draft National Planning Policy Framework (NPPF) also deals with the duty to co-operate. In particular, paragraphs 44 to 47 relate to planning strategically across local boundaries and the duty to co-operate is particularly emphasised. The Council has carried out a comprehensive self assessment of how the Core Strategy Publication Document is meeting the requirements of the Draft NPPF. This is one of the documents submitted to the Secretary of State and is also published on the website. The extent to which the duty to co-operate has been met by the preparation of the Core Strategy Publication Document is also addressed in this document.
- 1.5 Planning Policy Statement 12, in particular, paragraphs 4.16 4.18 emphasises the importance of joint working to address planning matters of cross boundary significance.
- 1.6 In the Council's view, at the heart of the duty to co-operate is effective partnership working to achieve outcomes. This principle is therefore not new to good planning practice and is one that Woking Borough Council has been committed to for some time. Woking Borough Council has been a leading example for effective partnership working. One of the key principles underpinning the preparation of the Core Strategy is 'effective involvement of

key stakeholders and the general public at all relevant stages of the Core Strategy process'. Paragraph 1.13 of the Core Strategy Publication Document emphasises this principle to underpin the preparation of the Core Strategy. Woking Borough Council has been actively involved in a number of cross boundary and joint partnership relationships to inform the preparation of the Core Strategy. Examples are set out below.

1.7 A number of the bodies and Partnerships listed in this statement, in particular, in Table 1 such as the Local Enterprise Partnerships, Transport for Surrey and the Thames Basin Heaths Joint Strategic Partnership Board are not defined by the Statute. However, Planning Policy Statement 12 and the emerging National Planning Policy Framework highlights the benefits of Council's working in partnership with other bodies to address matters of cross boundary significance. Consequently, these bodies have been included because of the strategic role that they play in addressing cross boundary issues with implications for the Core Strategy in its preparation and implementation.

2.0 Cross boundary and joint partnership relationships

- Surrey Planning Officer's Society it comprises all the Surrey Heads
 of Planning. The Group meets monthly to agree joint working
 opportunities and arrangements, consider matters of cross boundary
 significance and to discuss all other issues of PAN Surrey interest.
 They often delegate matters of detailed resolution to the Planning
 Working Group and the Development Management Group.
- Planning Working Group a group of Planning Policy Managers in Surrey and the County Council that meets bi-monthly to discuss and resolve cross boundary policy issues, share relevant information and experience.
- West Surrey Group a group of Planning Policy Managers in West Surrey. The Group meets bi-monthly to deal with sub-regional issues, identify opportunities for joint working and report to the wider Planning Working Group where relevant.
- Transport for Woking a group of transport providers with interest in transport in Woking (private, public and voluntary sectors). The Group seeks to coordinate limited resources for effective use, feed into policy formulation and identify mitigation measures for transport issues. It works to integrate solutions by sharing information. The Group comprises officers and councillors of Woking Borough Council and Surrey County Council, bus providers, South West Trains, Network Rail and Highways Agency. The Group meets quarterly.
- Transport for Surrey a similar group to Transport for Woking but with membership at Surrey-wide level. The Group looks at strategic transport issues across Surrey and the composition is similar to that of Transport for Woking but also includes representatives from the other authorities in Surrey.
- Woking Partnership Woking Partnership is the Local Strategic Partnership for the area and is responsible for the preparation of the Sustainable Community Strategy. The Partnership brings together the private, public and voluntary bodies in the area to think strategically about the area and deliver services effectively and efficiently. It coordinates resources and sets out the overall aspirations of the local area. Woking Borough Council is the lead authority for the Partnership

- and the Planning Policy Manager is one of the key officers that serve the Partnership. There is a standing item on the Partnership agenda for each of their meetings on the Local Development Framework. The Partnership has set up an Infrastructure Sub-Group to coordinate the preparation of the Infrastructure Delivery Plan and have played an active part at each stage of the Core Strategy process.
- Surrey County Council is the County Council for the area, responsible for education and transport provision. It is also responsible for the Surrey Transport Plan, the Surrey Waste Plan, the Surrey Minerals Plan Core Strategy and Primary Aggregates Development Plan Documents. The Council actively works bilaterally with the County Council to achieve its objectives. The County Council is also part of the Planning Working Group.
- Thames Basin Heaths Joint Strategic Partnership Board This is a Joint Strategic Partnership Board comprising key councillors of local authorities in Surrey with Special Protection Areas (SPA) within their boundaries and Natural England. The Board is set to ensure a strategic approach to mitigate and manage the impacts of development on the SPA. It is served by the relevant planning officers in each of the authorities and officers from Natural England.
- Thames Basin Heaths Joint Officer's Group the Group coordinates the strategic policy approach to mitigating and managing the impacts of development on the SPA. It provides information to the Thames Basin Heaths Joint Strategic Partnership Board and comprises relevant officers from the various authorities and officers from Natural England.
- Local Enterprise Partnership (LEP) Woking is part of the Enterprise M3 LEP. The LEP is a relatively new approach to partnership working to the strategic management of resources to achieve economic growth. Woking Borough Council is already an active member of the LEP and is part of the Planning and Housing Technical Sub Group.
- Airtrack Forum the forum comprises representatives from Woking Borough Council, the County Council, British Airways, and British Airport Authority. The forum was set up to develop a proposal for new rail/air track service direct to Heathrow. This would have significantly improved accessibility from Woking to Heathrow airport. The project has now been abandoned due to lack of funding. However, the Forum still exists. The County Council is at an early stage of developing a rail strategy, which will include amongst other things measures to improve rail access to Heathrow. It is their intention to use the Forum (rather than re-invent another one) as part of this process and Woking Borough Council will continue to play an active role.
- Woking Local Committee the Committee comprises councillors from both Surrey County Council and Woking Borough Council. It provides a useful interface between the County and Woking Borough Council and facilitates effective interpretation of strategic policies at the local level.

Given the level of joint partnership working that has already gone into the preparation of the Core Strategy Publication Document and the well established partnership arrangements that exist to facilitate future partnership working, the Council is confident that it has met the requirements of the duty to co-operate and is well placed to respond in the future to the duty to co-operate

requirements envisaged by the Localism Act and the NPPF when it is finally published and any potential future strategic issues that may emerge.

3.0 Strategic issues of cross boundary significance

- 3.1 Woking Borough Council will continue to proactively work with its neighbouring authorities and other stakeholders to address issues of cross boundary significance. It is difficult to anticipate all cross boundary issues that may emerge during the period of the Core Strategy. For example, at the moment, there are no major transport schemes of cross boundary significance to Woking. This situation will constantly be reviewed as other neighbouring authorities prepare their Core Strategies. There is however established groups, which Woking Borough Council plays an active part that could provide the necessary partnership arrangements to address any potential future issues. At this stage, potential issues of cross boundary significance are:
 - Transport mitigation of traffic movement;
 - The strategic protection of the Thames Basin Heaths Special Protection Areas:
 - Making provision to meet the future accommodation needs of Gypsy, Travellers and Travelling Showpeople;
 - Providing strategic infrastructure such as health, education, waste and utilities:
 - Flooding;
 - Need to take account of other Core Strategies when meeting the housing needs of the local area.
- 3.2 Table 1 set out specific details of joint working with districts and boroughs adjacent to this area. It also includes joint working with key stakeholders. The Table does not include planning application consultations with neighbouring authorities. Whilst joint working to prepare the Surrey Waste and Mineral plans has been taken into account in preparing the Core Strategy, this is not covered in great detail as the County Council is responding for preparing the documents. To avoid repetition, the Local Authorities in Surrey are grouped under two headings:
 - · West Surrey Authorities; and
 - Other Local Authorities in Surrey.

Table 1 – Nature of joint working with neighbouring authorities, key organisations and groups

Natural England • Worked together to p	
document provides a protection of the SPA a base to support the Cor Worked together to p Basin Heaths (TBH) Sp Avoidance Strategy (20)	Strategy (2008). This framework for the and is a key evidence to Strategy. The strategy of th

	 Natural England played a key role in developing the environment policies of the Core Strategy Publication Document, including scrutising early drafts of the policies before they were published. They have also been commenting on various consultation exercises for the Core Strategy. (See Policies CS7, CS8, CS9 of the Core Strategy Publication Document) Worked together as part of the TBH Joint Strategic Partnership Board to provide continuous strategic direction to the management of development impacts on the SPA. Partnership working to assess the suitability of sites for SANGs provision, such the proposed SANG at Heather Farm. Worked together to develop a common approach to the Strategic Access Management and Monitoring of the SPA. Has been a statutory consultee to all stages of the Core Strategy process. Part of that responsibity is to ensure that cross boundary issues are fully addressed. Has significant input in developing the Sustainability Appraisal (SA) Framework and also commenting on the SA Report. Part of this partnership working includes input to the preparation of the Habitats Regulations Assessment.
Environment Agency	 Played a key part in the preparation of the Woking and Surrey Heath Strategic Flood Risk Assessment.
	 Played an active part in developing the flooding and other environment policies of the Core Strategy Publication Document, including providing necessary information and commenting on early drafts of the policies before they were published. (See Policy CS9 of the Core Strategy Publication Document). The Environment Agency has also been a statutory consultee to all relevant stages of the Core Strategy process.

Joint partnership working with Local Authorities in Surrey (excluding West Surrey Local Authorities)	Nature of the joint partnership working
Elmbridge, Epson and Ewell, Mole Valley, Reigate and Banstead	 Gypsy and Traveller Accommodation Needs Assessment (GTAA) – Jointly carried out this evidence base work with

and Tandridge.

- Elmbridge, Runneymede and Spelthorne as part of North Surrey authorities. The outcome of the study informed the assessment of the accommodation needs of Gypsy and Travellers and Travelling Show People for the participating authorities.
- Planning for the future accommodation needs of Gypsy and Travellers and Showpeople Travelling Through Planning Working Group (a working subgroup has been set up) and Surrey Planning Association Woking Officers Borough Council has worked together with the other Surrey authorities to prepare and agree a common methodology and questionnaire for assessing the future accommodations needs of Gypsy, Travellers and Travelling Showpeople. This will ensure consistency in the approach adopted and the need to take account of each others provision.
- **Thames Basin Heaths Special Protection** Area - As part of Thames Basin Heaths (SPA) Joint Strategic Partnership and Thames Basin Heaths Joint Officers Group have worked together to develop a common strategic approach to mitigate the impacts of development on Special Protection Areas and the Strategic Access Management and Monitoring of the SPA. This includes developing a common methodology for securing developer contributions towards Strategic Access Monitoring Management of the SPA. The Thames Basin Heaths SPA together with the nearby Wealden Heaths SPA and the Ashdown Forest SPA, form a complex of heathlands in Southern England that support important breeding birds population of European significance. The need to provide strategic protection for the SPA is therefore critical and has required this cross-boundary working with other Surrey authorities and Natural England to strategically monitor and adverse impacts mitigate the development on the SPA
- Core Strategy Through Planning Working and Surrey Group Planning Officers Association each Surrey authority regularly kept informed of issues considered in each others Core Strategies, in particular, those of strategic significance so that they are taken into account when preparing Local Development Documents. An online webspace has been set up to provide

Strategic infr Worked togethe Authorities and to prepare the Capacity Study. strategic infrastre by consultants. Surrey Local In Planning Working to the preparate Investment Plandinformation to affordable housing. Community Infreceded Planning Working has been set up the implications relationship between the implications relationship between the implications of strategic in Council is an act influential role—Group have contained and resignificance. Receded.	rastructure Levy – Throughing Group a sub group on CIL up to develop thinking about is for CIL, in particular, the ween CIL and the provision infrastructure. The County tive member of this group. – Through Planning Working collectively responded to regional policy of strategic ecent example is a collective the consultation on Nation

Partnership working with Local Authorities	Nature of joint partnership working
	Strategic Housing Market Assessment – jointly carried out this work with Guildford and Waverley to determine housing need, including need for affordable housing in this housing market area. This work has informed the policies of the Core Strategy. A housing market area approach was taken for this work. Common database - As part of the West Surrey Group, have developed a common database tracking progress with the preparation of local development documents, including development plan documents, evidence base carried out to inform the Core Strategies of the various
	authorities and opportunities for joint working, in particular, matters of cross boundary significance. It is also a useful forum to share necessary information with cross boundary implications. Joint partnership working with Surrey Heath Borough Council to prepare the Woking and Surrey Heath Strategic Flood Risk

- Assessment. This work focuses on the River Bourne catchment.
- Presently working together with Surrey Heath Borough Council to secure a joint SANG at Heather Farm to support housing development in the two authorities.
- Consulted by Surrey Heath Borough Council and Guildford Borough Council during preparation of the planning guidance for the proposed redevelopment of the Princess Royal Barracks at Deepcut, which has impacts of strategic importance.
- Planning for the future accommodation needs of Gypsy and Travellers and Travelling Showpeople - Through Planning Working Group and Surrey Planning Officers Association, Woking Borough Council has worked together with the other Surrey authorities to prepare and agree a common approach and methodology for assessing the future accommodation needs of Gypsies and Travellers and Travelling Showpeople in Surrey. This work will inform the future accommodation needs of Gypsy and Travellers in the Borough.
- **Thames Basin Heaths Special Protection** Area - As part of Thames Basin Heaths (SPA) Joint Strategic Partnership Board and Thames Basin Heaths Joint Officers Group have worked together to develop a common strategic approach to mitigate the impacts of development on Special Protection Areas and the Strategic Access Management and Monitoring of the SPA. This includes developing a common methodology for securing developer contributions towards the Strategic Access Monitoring and Management of the SPA. The Thames Basin Heaths SPA together with the nearby Wealden Heaths SPA and the Ashdown Forest SPA, form a complex of heathlands in Southern England that support important breeding birds population of European significance. The need to provide strategic protection for the SPA is therefore critical and has required this cross-boundary working with other Surrey authorities and Natural England to strategically monitor and the adverse impacts mitigate development on the SPA
- Core Strategy Through Planning Working Group, West Surrey Group and Surrey Planning Officers Association has been kept informed of issues considered in each

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Authorities/groups	Nature of joint partnership working
with Strategic roles	
Surrey County Council	The Council has an effective working relationship with the County Council to address the infrastructure needs including strategic infrastructure to support the Core Strategy. Specific areas of joint working includes:
	 Transport Assessment – This work assessed the transport impacts of the various development options for the Core Strategy. This work informed the cumulative assessment of the future development impacts on the highway network. It is also the basis for determining appropriate transport mitigation to address development impacts. Surrey Infrastructure Capacity Project – The project allowed the County Council to assess current and future countywide infrastructure requirements alongside the eleven Surrey districts and boroughs, Surrey Police, Surrey Primary Care Trust, the business community and other key service

- and infrastructure providers.
- assessment Cumulative of future development impacts on the highways **network** – This work was jointly undertaken with the eleven Surrey districts and Boroughs to consider the cumulative impacts of future development within Surrey as well as large developments located externally to the county with respect to highway capacity. The work is informed by development the proposals in Core Strategies of the various authorities.
- Cycle Woking The Council worked jointly with the County Council to secure funding to implement the Cycle Woking project. Woking was identified as one of the cycle demonstration towns. An end of programme report has been prepared to demonstrate the success and outcomes of the project. It has established a sound foundation for influencing a modal shift from car based travel to cycling. A total of about £4,342,492 has been invested in cycle related activities since 2008. Further funding has been secured through the Local Sustainable Transport Fund to enable this project to continue.
- Woking and Byfleet Surface water management Plan Woking Borough Council is working with the County Council to prepare a Surface Water Management Plan for Woking and Byfleet. Flooding is a potential issue of cross boundary significance. The key purpose of this work is to identify sustainable responses to manage surface water flooding. This plan will provide useful information upon which future decisions and funding applications for putting the recommendations into practice can be put forward.
- Education infrastructure The Council has worked with the County Council to identify the need for educational provision to support the Core Strategy. Both authorities are committed to implement identified schemes to ensure that infrastructure provision does not lag behind development.
- Community Infrastructure Levy Through Planning Working Group, a CIL sub group has been set up to develop thinking about the implications for CIL, in particular, the relationship between CIL and the provision of strategic infrastructure. The County Council is a member of the sub group.

Local Enterprise Partnership (LEP)	Local Enterprise Partnerships (LEP) - are locally owned partnerships between local authorities and businesses to facilitate local economic growth and job creation. This is part of the Government's localism agenda to ensure locally driven and sustained economic growth. Woking is part of the Enterprise M3 LEP. The Enterprise M3 LEP is at early stages of its development and no substantive outcomes have been achieved by it actions. However, Woking Borough Council is already playing an active part in meeting the objectives of the LEP. Part of this is identifying transport projects with strategic significance. Woking Borough Council is part of the Planning and Housing Sub Group.
Highways Agency	The Highways Agency played a key role by working with the County Council and Woking Borough Council to agree the methodology for carrying out the Transport Assessment. It ensured that any impacts of the Core Strategy on the strategic road network have been taken into account in the Transport Assessment.
Infrastructure and service providers	Planning Policy Statement 12 (PPS) require Core Strategies to be supported by evidence of what physical, social and green infrastructure that is needed to enable the sustainable development of the area. Consequently, the Council has prepared an Infrastructure Capacity Study and Delivery Plan (IDP) to support the Core Strategy and to ensure that development and infrastructure provision are appropriately integrated. The IDP has been prepared with the active involvement of service and infrastructure providers and delivery agents, including: the Highways Agency, Network Rail, South West Trains, Sustrans, Surrey County Council, Surrey Police Authority, Thames Water, Thameswey Energy Ltd, Scotia Gas Networks, the Environment Agency, Surrey Wildlife Trust and voluntary groups and organisations. Their involvement has been through a series of workshops, regular update discussions and meetings, one to one meetings and use of consultants to facilitate engagement. The outcome of the process is an Infrastructure Capacity Study and Delivery Plan that the Council is satisfied is adequate to provide the necessary evidence to support the Core Strategy. All the providers are committed to the delivery of the necessary infrastructure to support the Core Strategy. Utility services are provided by private companies. By nature, it is difficult to get information about the investment programme of private utility companies. However, the Council was provided with as much information as it is possible.

Other key stakeholders	Nature of joint partnership working
Woking Partnership	Woking Partnership is the Local Strategic Partnership for
	the area. It is responsible for the preparation of the

Sustainable Community Strategy. It has played an active part at each stage of the Core Strategy process, including ensuring that the vision for the Core Strategy provides the right framework for future development of the Borough, that the Core Strategy provides the necessary framework for delivering community aspirations as set out in the Sustainable Community Strategy and that the objectives of the Core Strategy and the Sustainable Community Strategy are mutually supportive of each other. The Partnership meets once every three months, where they receive regular updates on progress for the preparation of the Core Strategy. This is a standard item on the Partnership's agenda at each of its meetings. Members of the Partnership are also consulted on each key stage of the Core Strategy process. The Planning Policy Manager is one of the officers that serve the Partnership. The Core Strategy Publication Document therefore reflects input from the involvement of the Partnership. continuous Furthermore, the Partnership has set up an Infrastructure Sub Group to provide strategic oversight for the preparation of the Infrastructure Delivery Plan and to coordinate its delivery when the Core Strategy is adopted. The actions of Woking Partnership and that of Surrey Strategic Partnership provided the key basis for identifying Sheerwater and Maybury and Lakeview Estate as Priority Places for the focus of investment in the Borough. Policy CS5 of the Core Strategy Publication Document is therefore significantly influenced by the actions of the Partnership. The Partnership is committed to coordinate actions to address the underlying cause of deprivation in these areas and implement the requirements of Policy CS5 of the Core Strategy Publication Document in an effective and efficient manner. Woking Borough Council has worked with Surrey Strategic Surrey Strategic **Partnership** Partnership and Woking Partnership in identifying and directing resources to address pockets of deprivation at our Priority Places of Sheerwater and Maybury and Lakeview Estate. Transport for Woking is a Partnership comprising groups Transport for Woking and organisations with interest in Transport in Woking. It meets quarterly with the following quarterly forward programme: agree a way forward for developing the Woking Hub transport improvement scheme; coordinate cycle improvement schemes across the Borough; Provide evidence to support the Core Strategy: information for Provide the effective management of transport investment. The Group has received presentations and discussed at

	and atoms of the Care Ctrategy process
Transport for Surrey	each stage of the Core Strategy process. Membership of Transport for Surrey is similar to that of Transport for Woking. However, the Partnership concentrates on transport matters with strategic implications. Recent example of how the Partnership have worked jointly with Woking Borough Council to achieve a satisfactory outcome includes overseeing joint working between the County Council, Woking, Guildford and Reigate and Banstead Borough Council's to prepare a bid to secure funding from the Local Sustainable Transport Fund. The first part of the bid was successful and Woking received £0.93M to implement sustainable transport schemes such as cycle infrastructure schemes. This will contribute significantly towards delivering transport schemes to support the Core Strategy. In particular, it will
Thames Basin Heaths	schemes to support the Core Strategy. In particular, it will help towards achieving the Core Strategy objective of improving choice in the mode of travel. A decision on the second part of the bid is yet to be made by the Government. The Partnership comprises relevant councillors from each
Special Protection Area Joint Strategic Partnership Board	of the Local Authorities in Surrey with SPA within their boundaries. Recent joint working of the Partnership where Woking has played an active role includes:
	 Approving a delivery framework to provide a consistent and strategic approach to mitigating the impacts of development on the SPA.
	 Approving the necessary budget for the programme of works necessary to ensure that there is a strategic approach to SPA matters.

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Conclusion

The Council is satisfied that the requirement for the duty to cooperate has been satisfied in preparing the Core Strategy Publication Document. Furthermore, it believes that with the well established partnership arrangements that exist, it is well placed to respond in the future to any further issue that may arise.