

# **Plan:MK**

## **Addendum to Duty to Cooperate Statement**

**June 2018**

## **1. Introduction**

This document supplements the Council's Duty to Cooperate Statement ([MK/SUB/008](#)) that was despatched to Government on 29 March 2018 as one of the Plan:MK submission documents. Its purpose is to record some additional engagement with neighbouring local authorities and public bodies that was undertaken prior to the submission of the plan.

## **2. SEMLEP Planners' Forum**

The South East Midlands Local Enterprise Partnership (SEMLEP) chairs and coordinates Planners' Forum meetings on a quarterly basis. These meetings are attended by senior planners of the local authorities within the local enterprise partnership area.

The meeting agendas often include an item on local plan progress and SEMLEP keeps up to date and circulates a log of the local authorities' latest position on the status and timetable of their emerging local plans. For example, the minutes of the meeting that was held on 11 September 2015, reproduced at **Appendix 1**, record that there was a presentation and discussion on Plan:MK and its progress and timetable. The forum was updated as preparation of the plan advanced and at no stage did another local authority or SEMLEP express any concern about the plan or its proposals. Nor was any request made through these meetings for the Council to consider meeting any unmet development needs of another local authority within the SEMLEP area.

## **3. Buckinghamshire Planning Policy Officers' Group**

The Buckinghamshire Planning Policy Officers' Group similarly meets on a quarterly basis and its meetings contain a standing item on local plans. These meetings are attended by senior planning policy officers of the Buckinghamshire districts, Buckinghamshire County Council, and representatives of the Buckinghamshire and Thames Valley Local Enterprise Partnership and the Buckinghamshire and Milton Keynes Natural Environment Partnership. Milton Keynes Council regularly attended these meetings before and after 2016, during which year the Council was not represented due to staff turnover.

The proposals in the emerging Plan:MK were articulated during these meetings, including the Council's proposed response to meeting its Objectively Assessed Need for housing and the strategic housing and employment sites to be allocated in the plan. At none of these meetings did another local authority or other representative express any concern about the plan or its proposals. Nor was any request made through these meetings for the Council to consider meeting any unmet development needs of another local authority in Buckinghamshire.

## **4. Memorandums of Understanding and engagement with neighbouring local authorities**

In the case of the memorandum of understanding (MoU) that was signed with Central Bedfordshire Council in March 2018, this was derived from work which had

been undertaken since March 2017 on several iterations of a strategic planning framework. The purpose of this document was to identify any strategic cross-boundary issues which may exist between the two authorities and set out how these issues could be taken forward and managed through local plan-making.

For the memorandum of understanding with Aylesbury Vale District Council (AVDC), this in fact started life as a statement of common ground which set out MKC's concerns about strategic housing sites in Whaddon and Newton Longville immediately to the south-west of Milton Keynes City. At that time, MKC's position was that housing allocations within the Milton Keynes Housing Market Area (HMA) should count towards the needs of that HMA irrespective of authority boundaries. MKC did not consider that this position resulted from 'unmet need' in the MKC administrative area but, given the sites' suitability, not counting them against the need of the Milton Keynes HMA would (a) result in the Council having to allocate less suitable sites in its own plan and, (b) reduce the ability of the proposed developments to be planned as part of Milton Keynes City.

This disagreement in part led to the joint commissioning of reports to establish the extent and location of HMAs across Bedfordshire and Buckinghamshire and surrounding areas (see [MK/HOU/001](#)). The reports concluded that, whilst in spatial terms it does extend across the northern third of Aylesbury Vale and into Central Bedfordshire, the Milton Keynes HMA is 'best fitted' to the Milton Keynes administrative area. Similarly, these reports concluded that the Buckinghamshire HMA is 'best fitted' to the combined administrative areas of Aylesbury Vale, High Wycombe, South Bucks and Chiltern District Councils.

As a positive outcome of these jointly commissioned findings, MKC accepted that the housing proposed to be allocated in AVDC to the south-west of Milton Keynes City should be allowed to be counted towards meeting the housing needs of the Buckinghamshire authorities.

The Duty to Cooperate Statement includes a list of the strategic cross-boundary issues relevant to Milton Keynes, South Northamptonshire and Bedford Councils. In the case of Wellingborough, efforts were made to engage with the Borough Council in August 2017 and a duty to cooperate meeting was offered. As no response to this was received, this offer was repeated in October 2017, but a response was still not forthcoming. Contact has been made with Wellingborough Borough Council more recently, however, and this resulted in the email response reproduced at **Appendix 2**.

The MoUs that have been signed with Aylesbury Vale and Central Bedfordshire specifically address the issue of cumulative impacts from strategic sites within those authorities but in close proximity to the administrative boundary of the Borough and to Milton Keynes City.

## **5. Bedford to Milton Keynes Waterway**

The Council is a member of the Bedford and Milton Keynes Waterway Park Consortium, along with Central Bedfordshire Council, Bedford Borough Council, the Environment Agency, SEMLEP, and Forest of Marston Vale Trust. The Consortium is chaired on a rotating basis by the lead Portfolio holders from MKC and Central

Bedfordshire, and the Mayor of Bedford. It meets twice a year. A Joint Programme Executive meeting is attended by officers on a quarterly basis, including a member of the MKC Planning Service Management Team, who also reports regularly to the Waterway Trust on key developments in Milton Keynes.

The broad alignment of the waterway is safeguarded in the 2005 Local Plan. Planning consent for the route was secured at the Milton Keynes end but has now lapsed (following an extension to the original permission). As development proposals emerge along the route, MKC seek to safeguard the route, although this has led to some re-alignment over time. The Council has also secured the transfer of land to MKC freehold where this has coincided with the provision of new open spaces.

The route for the waterway is also safeguarded within the A421 Dualling Scheme which is being undertaken jointly with Central Bedfordshire Council. More specifically, the A421 project has actually secured planning permission for a 'box culvert' structure under the A421 to facilitate a future waterway.

Policy protection for the waterway is maintained in Plan:MK through Policies SD6, SD8 and D5 as part of new development proposals long the route, whilst the alignment of the route is safeguarded on the Policies Map.

## APPENDIX 1

### Minutes of the SEMLEP Planners' Forum meeting, 11 September 2015



#### MINUTES

**SEMLEP Planners' Forum  
Friday 11 September 2015  
10.00am – 12.00pm**

Room 4, Civic Office  
Milton Keynes Council  
1 Saxon Gate East  
Milton Keynes MK9 3EJ

#### Attendees:

Anna Rose (Chair)	DH	Service Director- Planning & Transport	Milton Keynes Council
Diane Webber	DW	Senior Planning Officer, Development Plans	Milton Keynes Council
Fiona Robinson	FR	Senior Planning Officer, Development Plans	Milton Keynes Council
Paul Rowland	PR	AD – Planning & Housing	Bedford Borough Council
Gill Cowie	GC	Planning Team Leader	Bedford Borough Council
Clive Faine	CF	Chair PDIIG	PDIIDG SEMLEP
Terry Begley	TB	Principal Planner	Corby Borough Council
Kevin Owen	KO	Team Leader	Luton Borough Council
Andrew Davie	AD	AD – Planning	Central Bedfordshire Council
Colin Staves	CS	Principal Spatial Planning Officer	West Northants JPU
Hilary Chipping	HC	Strategist	SEMLEP

#### Apologies:

Andrew Longley	AL	Planning Manager	North Northants JPU
Simon Bowers	SB	Corporate Manager	Daventry District Council
Andy Kirkham	AK	Planning Manager - Forward Plans	Aylesbury Vale District Council
Adrian Colwell	AC	Head of Service	Cherwell and South Northants District Councils
James Doe	JD	AD – Planning Development & Regeneration	Dacorum Borough Council
Chris Pagdin	CP	Head of Planning	Luton Borough Council
Richard Fox	RF		Central Bedfordshire Council
Jennie Selley	JS	Major applications	Central Bedfordshire Council

Item:	By
<p><b>3 Presentation and discussion- Plan:MK, Progress and Timetable</b></p> <p>Presentation by FR covering Plan:MK – what it will cover; progress so far and the next steps. FR also explained the links between Plan:MK and the emerging work to establish a Vision Commission for Milton Keynes.</p> <p>MKC would welcome feedback from other LPAs as to how we can best involve parish councils outside the Milton Keynes area in future consultations.</p> <p>Bedford – will some of the old 2005 local plan policies need to be retained in Plan:MK – especially for development sites where the policy still provides important development principles? It is not our intention to have to retain any of the old policies but a good point and one we will follow up.</p> <p>HC – will there be a shared evidence base? FR – all evidence produced for Plan:MK and the vision commission will be publicly available online.</p> <p>WNJPU – at this stage, are the options set within a context of housing and economic need? FR- yes – based on SHMA and core Strategy numbers</p> <p>All – would be useful to have a table showing evidence under preparation to identify possible sharing opportunities.</p> <p>Discussion followed on the Vision Commission (VC), its role, status etc. Matters raised include:</p> <ul style="list-style-type: none"> <li>- who or what is the Vision Commission (VC), what is its status?</li> <li>- will the VC's recommendations be deliverable?</li> <li>- the VC has taken some a little by surprise; potential confusion with a statutory plan; need for clarity about relationship to Plan:MK and the mandate for the VC.</li> <li>- is there a risk of taking a 15 year plan to examination with a 50 year vision that isn't examined.</li> <li>- Other parts of SEMLEP may have their own visions – how do these fit together?</li> <li>- is there a brief for the VC and will there be engagement on the preparation of that brief?</li> <li>- Are Milton Keynes councillors represented on the VC?</li> <li>- May be backlash around who decided who to appoint to the VC.</li> <li>- If the VC looks beyond MKC boundaries when neighbouring councils and their members may have concerns. Are neighbouring councillors aware of the VC?</li> <li>- HC noted a SEMLEP Board meeting w/c 14<sup>th</sup> September – there needs to be a reference about the VC at that Board meeting.</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>- the VC has no planning status, it will prepare its own report and make recommendations to MKC. It will run alongside work on Plan:MK and is not designed to be a spatial process – its focus is the economy.</li> <li>- the work of the VC is supported by the Government Office for</li> </ul>	FR

Item:	By
<p>Science under the Foresight Future of Cities programme. This gives us access to professional advice and resources.</p> <ul style="list-style-type: none"> <li>- The terms of reference for the VC are in the motion to Full council on 16<sup>th</sup> September. The brief will evolve after the 16<sup>th</sup>.</li> <li>- MK councillors are not members of the VC but will attend meetings.</li> </ul>	
<p><b>4 Presentation and discussion – Neighbourhood Plans</b></p> <p>Presentation by DW on the current position of neighbourhood planning in MK; some of the lessons learnt along the way and recent issues arising from decisions on planning applications.</p> <p>Discussion around using neighbourhood plans to support site allocations in local plans; costs associated with neighbourhood planning and use of the available DCLG grants (the MKC Neighbourhood Plans service had a successful Internal Audit earlier in 2015, currently incoming grant monies roughly in balance with outgoings but that is skewed by the extra costs associated with the production, examination and referendums for the CMK Business NP). In terms of the effectiveness of Neighbourhood Plans generally, CF queried how many NPs have led to an NDO or LDO which would result in something more tangible.</p> <p>Bedford has 18 neighbourhood areas so it would be useful to share experiences before these progress. Very little neighbourhood plan activity in other areas</p> <p>Presentation to be sent out with the notes. DW happy to share experience with other LPAs in the area.</p>	<p>DW</p>
<p><b>5 Plan progress and areas for joint working</b></p> <p>AVDC – Issues and Options to be approved at the end of November, consultation in Spring 2016</p> <p>Luton – pre-submission local plan going to the Executive on 21 September with a view to starting consultation at the end of October through to early December.</p> <p>Bedford- second Reg 18 consultation planned from mid- October to mid-December. Aiming for submission plan Autumn 2016.</p> <p>C Beds- still in the Court of Appeal on their Development Strategy</p> <p>W Northants – Part 2 local plans being produced by their respective district councils. Northampton Borough starts consultation at the end of November.</p>	
<p><b>6 PDIIG and SEMLEP Update</b></p> <p>Programmes and discussions underway on:</p> <ul style="list-style-type: none"> <li>• devolution</li> <li>• skills issues</li> </ul>	<p>HC</p>

Item:	By
<ul style="list-style-type: none"> <li>• housing supply</li> <li>• infrastructure funding and delivery</li> </ul> <p>Some LPAs, especially C Beds are keen to draw up a CIL proposal to Government. Reminder that SEMLEP/PDIIG always happy to help to pitch proposals to Government.</p> <p>Surrounding counties (Oxfordshire, Bucks and Northamptonshire) have created a 'strategic alliance' and are looking at creating a transport forum, but unclear how this would relate to SEMLEP. The alliance proposal has gone to Government and results will emerge in the Autumn Statement.</p> <p>AR – in terms of the Duty to Co-operate, best if the LPAs have their own internal discussions initially and from that it will be clearer how SEMLEP can assist.</p> <p>HC agreed that the Planners' Forum Group is important to DtC.</p> <p>AR – MKC is continuing its campaign against the pooling restriction on S106 and using opportunities to sell the benefits of a more flexible approach. The tariff is a very successful example of a funding mechanism that could not operate with the pooling restriction.</p>	
<p><b>Next meeting</b> 13 November, 10am-12 noon</p> <p>General agreement that MK is a good place to meet. Consider offering a dial-in facility for those based further afield.</p> <p>All to consider and suggest items for discussion at the next meeting. DW suggested gypsy and traveller issues.</p>	



## APPENDIX 2

Email from Wellingborough Borough Council to Milton Keynes Council of 15 June 2018

From: Sue L. Bateman <SBateman@wellingborough.gov.uk> Sent: Fri 15/06/2018 09:06  
To: Cheston, John  
Cc: Julie Thomas  
Subject: [EXT] RE: Update on Milton Keynes Council's Plan:MK and a Duty to Cooperate request

Dear John,

Further to our recent telephone conversation, I can confirm that the council has no fundamental concerns that Milton Keynes Council is not complying with the Duty to Cooperate in its preparation of Plan:MK. We have not identified any strategic cross boundary issues relevant to both WBC and MKC that need addressing at this stage.

For your information, we addressed Duty to Cooperate issues for our Plan for the Borough of Wellingborough in a Statement of Consultation and in response to Matter 1 of the Inspector's questions. See links below:

[http://www.wellingborough.gov.uk/downloads/download/2846/pbw\\_statement\\_of\\_consultation\\_january\\_2018](http://www.wellingborough.gov.uk/downloads/download/2846/pbw_statement_of_consultation_january_2018)  
[http://www.wellingborough.gov.uk/downloads/file/8065/borough\\_council\\_of\\_wellingborough](http://www.wellingborough.gov.uk/downloads/file/8065/borough_council_of_wellingborough)

If I can be of any further assistance please let me know.

Regards  
Sue Bateman  
Senior Planning Officer

Tel: 01933 231926