

Proposed Submission Regulation 19

MK City Plan 2050: Duty to Cooperate Statement

Introduction

1. Local Planning Authorities (LPA) are expected to cooperate with Duty to Cooperate (the Duty) bodies and other prescribed bodies on any strategic cross-boundary matters relating to the plan they are preparing, and to submit evidence of this alongside the Proposed Submission plan for independent examination
2. Demonstrating the Duty has been met is a legal requirement and can also be an important part of ensuring the soundness of any local plan. This Duty to Cooperate Statement (DTCS) sets out how Milton Keynes City Council (MKCC) has met the Duty during the preparation of the MK City Plan 2050. It sets out how MKCC has through active, constructive and ongoing engagement worked with neighbouring LPA and other prescribed bodies as necessary to consider whether there are any strategic cross-boundary matters arising from the preparation of the MK City Plan 2050 and consider them appropriately.
3. This DTCS demonstrates that MKCC has met the Duty and that there are no strategic cross-boundary matters or other plan-making matters of consequence which have not been addressed through the plan and its supporting evidence in a satisfactory way. This DTCS provides evidence of how the Duty was met and the outcomes of the process.

The Duty's legal framework

4. The Duty became a legal requirement via the Localism Act 2011. Section 33A of the Localism Act 2011 amended the Planning and Compulsory Purchase Act 2004 by inserting a new requirement referred to as the 'Duty to Co-operate'.
5. The Duty as set out in Section 110 of the Localism Act:
 - a. Applies to the 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.
 - b. Requires that councils set out planning policies to address such issues.
 - c. Requires that councils and public bodies 'engage constructively, actively and on an ongoing basis to develop strategic policies.
 - d. Requires councils to consider joint approaches to plan making.

6. The bodies prescribed for the purpose of Section 33A(1)(c) of the Planning and Compulsory Purchase Act 2004 and Town and Country Planning (Local Planning (England) Regulations as amended by the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2012, relevant to Milton Keynes City are set out below. Milton Keynes City Council, as a unitary authority, is the transport and highways authority for the administrative area of Milton Keynes City (with the exception of National Highways which is responsible for the Strategic Road Network within the area).
 - Neighbouring Local Planning Authorities
 - Environment Agency
 - Historic England
 - Natural England
 - Homes England
 - Bedford, Luton and Milton Keynes Integrated Care Board (replacing the BLMK Clinical Commissioning Group 1 July 2022).
 - National Highways
 - Office of the Rail Regulator
7. Whilst Local Enterprise Partnerships (LEP) had previously been identified as bodies by the Duty for LPA to have regard to when preparing local plans, they were discontinued on 1 April 2024 with their functions transferring to upper-tier and combined local authorities.
8. Local Nature Partnerships (LNPs) are also prescribed in the regulations as bodies which local authorities 'should have regard to' given their role in the management of natural environmental assets, supporting biodiversity, and identifying Nature Improvement Areas. For Milton Keynes City, this role is met by the Bucks and Milton Keynes Natural Environment Partnership (hosted by Bucks Council).
9. The Duty is concerned with cooperation occurring in an active, ongoing and constructive way. It is not a legal duty to agree with any of the bodies listed in legislation.

National Planning Policy Framework

10. The National Planning Policy Framework (NPPF) states that to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground (SoCG), documenting the strategic cross-boundary matters being addressed and progress in cooperating to address these issues. At this stage in the preparation of the MK City Plan 2050, SoCG have not yet been produced. SoCG will be produced following consultation on the Regulation 19 Proposed Submission MK City Plan 2050 and included as submission documents. Nonetheless, this DTCS sets out how the Duty

has been met up and until the publication of the Regulation 19 Proposed Submission MK City Plan 2050.

11. Paragraph 20 of the NPPF sets out the strategic cross-boundary matters where co-operation might be appropriate:
 - a. Housing (including affordable housing), employment, retail, leisure, and other commercial development;
 - b. Infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - c. Community facilities (such as health, education, and cultural infrastructure); and
 - d. Conservation and enhancement of the natural, built, and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.
12. Cooperation with LPA and prescribed bodies has occurred on an constructive, active and ongoing basis. In summary conclusion, this cooperation has shown there are no strategic cross-boundary matters which have required any joint work with neighbouring LPA, there are no unmet development needs for Milton Keynes that need to be provided for by neighbouring LPA, and that there are no significant planning matters within the area of the MK City Plan 2050 which cannot be satisfactorily addressed through policies within the plan.

Strategic cross-boundary matters with local planning authorities

13. In mid to late 2022, the scope of strategic cross-boundary matters pertaining to the MK City Plan 2050 (referred to as the New City Plan at that time) for neighbouring LPAs was set out in letters to those authorities for consideration and agreement. The scope showed three categories:
 - Strategic matter that will require ongoing engagement;
 - Strategic matter that may require ongoing engagement;
 - Strategic matter that is not envisaged to require ongoing engagement
14. The scope of matters was subsequently agreed through follow up Duty to Cooperate meetings in late 2022/early 2023. Alongside formal representations made at Regulation 18 stage (summaries of which are provided in the Statement of Consultation) the scope of matters have framed discussions with the relevant authorities via regular Duty to Cooperate meetings (see Table 1). Annex A contains those letters and matrices for each LPA showing the strategic matters and how they were categorised. Whilst a limited number of strategic matters changed categories after 2022, none moved into the 'will require ongoing engagement' during preparation of the Regulation 18 or 19 versions of the MK City Plan 2050.

Table 1. Meetings held with neighbouring LPAs 2021-2025

Local Planning Authority	Meeting dates
Bedford Borough Council	24/10/2022
	17/09/2024
Bucks Council	11/11/2021
	28/10/2022
	15/06/2023
	19/03/2024
	20/09/2024
	12/05/2025
Central Bedfordshire Council	19/03/2021
	08/11/2022
	13/06/2023
	20/03/2024
	09/09/2024
	02/04/2025
	04/07/2025
	14/07/2025
North Northants Council	02/11/2022
West Northants Council	07/06/2023
	28/11/2024

15. Principal matters of note discussed through this process were potential transport impacts, infrastructure planning, employment strategy (principally Central Bedfordshire, West and North Northants) and impacts of site allocations (principally Central Bedfordshire and Bucks Council). Discussion of these matters, particularly those relating to site allocations, have informed the policy content of the Proposed Submission Regulation 19 MK City Plan 2050 and wider evidence work in support of the strategy. Discussions with neighbouring LPA will continue during the Regulation 19 phase and leading up to submission with the intention of preparing Statements of Common Ground which will clearly set out to the Inspector the strategic cross-boundary matters and respective views on them in the context of the MK City Plan 2050.

Engagement with other prescribed bodies

16. Alongside the statutory Regulation 18 consultation, we have sought to engage prescribed bodies through our evidence base work and discussion of policy approaches leading from that work. This has typically involved inviting those bodies to input during the scoping stage, as well seeking input and discussion throughout the drafting process. Table 2 below shows how various workstreams have sought to engage with the other prescribed bodies throughout the plan-making process:

Table 2. Prescribed bodies and areas of cooperation on plan-making

Prescribed body	Evidence study
Environment Agency	Integrated Water Management Study (Stages 1 and 2) (2021-2025) Strategic Flood Risk Assessment (Levels 1 and 2) (2021-2025) Natural, Green and Blue Infrastructure Study (2021-2023) MK Infrastructure Study and Strategy (2021-2025)
Historic England	Heritage Impact Assessments for CMK (scoping and input) and East of Wavendon (scoping) (2024-2025) MK Infrastructure Study and Strategy (2021-2025)
Natural England	Appropriate Assessment (scoping and screening) (2024-2025) MK Infrastructure Study and Strategy (2021-2025)
Homes England	MK Infrastructure Study and Strategy (2021-2025)
Bedford, Luton and Milton Keynes Integrated Care Board	MK Infrastructure Study and Strategy (2021-2025)
National Highways	MK Multi Modal Transport Model (2019 – 2025) MK Infrastructure Study and Strategy (2021-2025)
Office of the Rail Regulator	MK Infrastructure Study and Strategy (2021-2025)

17. Discussions with prescribed bodies will continue during the Regulation 19 phase and leading up to submission with the intention of preparing Statements of Common Ground, where necessary, which will clearly set out to the Inspector the relevant matters and respective views on them in the context of the MK City Plan 2050.

Conclusion

18. This DTCS has set out the steps taken to co-operate with LPA and prescribed bodies on strategic cross-boundary matters. So far in the preparation of the MK City Plan 2050 there have been no objections with regards to the Duty from neighbouring authorities or prescribed bodies. We consider that engagement to date on strategic cross-boundary matters fulfils the Duty as it has been constructive, active, and undertaken on an ongoing basis.

19. We will continue to engage with neighbouring authorities and prescribed bodies on an ongoing basis to identify and address any strategic cross-boundary issues that arise through Regulation 19 towards submission stage. This approach will help ensure that liaison with neighbouring authorities and other prescribed bodies remains fully embedded within the plan-making process.
20. It is recognised that cooperation is ongoing and strategic planning matters will continue to be considered going forward. In the light of Regulation 19 representations, we will undertake to prepare and sign Statements of Common Ground with duty to cooperate bodies which will set out the relevant strategic cross-boundary matters and the outcomes in further detail. It is envisaged that these will continue to be progressed and developed beyond submission and will inform the Examination in Public.

Annex A: Establishing strategic cross-boundary matters with neighbouring LPAs

Jon Shortland
Chief Officer – Planning, Infrastructure and Economic
Growth
Bedford Borough Council
Via email

Dear Jon,

I write to you in relation to the Duty to Cooperate for the preparation of the MK New City Plan, our new Local Plan. As we have previously discussed, we are at the stage of preparing evidence for the MK New City Plan. We are intending to consult upon a draft Regulation 18 plan in the summer 2023 with a view to consulting on a Regulation 19 plan in the summer 2024.

We want to agree with our neighbouring Local Planning Authorities the scope of strategic cross-boundary matters arising from the MK New City Plan that warrant discussion on an ongoing basis as part of the Duty to Cooperate. Set out in Appendix A are those matters we consider:

- Will or may require ongoing engagement;
- Those we do not envisage require engagement at this time with Bedford Borough Council.

We would welcome your feedback on this so that we can agree the matters to be discussed under the Duty to Cooperate as we prepare the MK New City Plan, as a forerunner to establishing a Statement of Common Ground between the two authorities.

We would also like to establish regular Duty to Cooperate meetings, complemented by any additional meetings that may be required as we prepare the plan. We suggest meeting every three months, commencing in early October 2022. If you are agreeable, we will make the necessary arrangements for virtual meetings to take place. Please advise which officers you would like to attend from Bedford Borough Council on a regular basis. Other officers can be invited as and when necessary, depending upon the matters to be discussed. At key stages it would also be helpful to engage with Members. However, this can be discussed and agreed at officer meetings in advance.

Yours sincerely



Paul Thomas, Director Planning and Placemaking

Planning

Ref:	MK New City Plan Duty to Cooperate August 2022
Reply to:	Andrew Turner, Planning Policy Manager
Email:	Andrew.turner@milton-keynes.gov.uk

Annex A –Matrices of Cross-boundary Strategic Matters – Bedford Borough Council

Strategic Matter	Level of engagement
Transport	
Housing Needs	
Natural Environment, (including landscape and green infrastructure)	
Waste	
Employment	
Gypsy and Traveller and Showperson Accommodation	
Flood risk	
Water management (supply and wastewater treatment)	
Retail	
Strategic sites	
Health	
Digital infrastructure	
Energy infrastructure	
Education (primary, secondary and higher education)	
Historic Environment	
Leisure provision	

	Strategic matter that will require ongoing engagement;
	Strategic matter that may require ongoing engagement;
	Strategic matter that is not <i>envisaged</i> to require ongoing engagement

Steve Bambrick
Director of Planning and Environment
Bucks Council
Via email

Dear Steve,

I write to you in relation to the Duty to Cooperate for the preparation of the MK New City Plan, our new Local Plan. As we have previously discussed, we are at the stage of preparing evidence for the MK New City Plan. We are intending to consult upon a draft Regulation 18 plan in the summer 2023 with a view to consulting on a Regulation 19 plan in the summer 2024.

We want to agree with our neighbouring Local Planning Authorities the scope of strategic cross-boundary matters arising from the MK New City Plan that warrant discussion on an ongoing basis as part of the Duty to Cooperate. Set out in Appendix A are those matters we consider:

- Will or may require ongoing engagement;
- Those we do not envisage require engagement at this time with Bucks Council.

We would welcome your feedback on this so that we can agree the matters to be discussed under the Duty to Cooperate as we prepare the MK New City Plan, as a forerunner to establishing a Statement of Common Ground between the two authorities.

We would also like to establish regular Duty to Cooperate meetings, complemented by any additional meetings that may be required as we prepare the plan. We suggest meeting every three months, commencing in early October 2022. If you are agreeable, we will make the necessary arrangements for virtual meetings to take place. Please advise which officers you would like to attend from Bucks Council on a regular basis. Other officers can be invited as and when necessary, depending upon the matters to be discussed. At key stages it would also be helpful to engage with Members. However, this can be discussed and agreed at officer meetings in advance.

Yours sincerely



Paul Thomas, Director Planning and Placemaking

Planning

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Reply to: Andrew Turner, Planning Policy Manager
Email: Andrew.turner@milton-keynes.gov.uk

Annex A –Matrices of Cross-boundary Strategic Matters - Bucks Council

Strategic Matter	Level of engagement
Transport	
Housing Needs	
Natural Environment, (including landscape and green infrastructure)	
Strategic sites	
Health	
Digital infrastructure	
Waste	
Employment	
Gypsy and Traveller and Showperson Accommodation	
Retail	
Energy infrastructure	
Education (primary, secondary and higher education)	
Water management (supply and wastewater treatment)	
Flood risk	
Historic Environment	
Leisure provision	

	Strategic matter that will require ongoing engagement;
	Strategic matter that may require ongoing engagement;
	Strategic matter that is not <i>envisaged</i> to require ongoing engagement

Andrew Davie
Assistant Director Development and Infrastructure
Central Bedfordshire Council
Via email

Dear Andrew,

I write to you in relation to the Duty to Cooperate for the preparation of the MK New City Plan, our new Local Plan. As we have previously discussed, we are at the stage of preparing evidence for the MK New City Plan. We are intending to consult upon a draft Regulation 18 plan in the summer 2023 with a view to consulting on a Regulation 19 plan in the summer 2024.

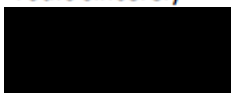
We want to agree with our neighbouring Local Planning Authorities the scope of strategic cross-boundary matters arising from the MK New City Plan that warrant discussion on an ongoing basis as part of the Duty to Cooperate. Set out in Appendix A are those matters we consider:

- Will or may require ongoing engagement;
- Those we do not envisage require engagement at this time with Central Beds Council.

We would welcome your feedback on this so that we can agree the matters to be discussed under the Duty to Cooperate as we prepare the MK New City Plan, as a forerunner to establishing a Statement of Common Ground between the two authorities.

We would also like to establish regular Duty to Cooperate meetings, complemented by any additional meetings that may be required as we prepare the plan. We suggest meeting every three months, commencing in early October 2022. If you are agreeable, we will make the necessary arrangements for virtual meetings to take place. Please advise which officers you would like to attend from Central Beds Council on a regular basis. Other officers can be invited as and when necessary, depending upon the matters to be discussed. At key stages it would also be helpful to engage with Members. However, this can be discussed and agreed at officer meetings in advance.

Yours sincerely



Paul Thomas, Director Planning and Placemaking

Planning

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Annex A –Matrices of Cross-boundary Strategic Matters – Central Bedfordshire Council

Strategic Matter	Level of engagement
Transport	
Housing Needs	
Natural Environment, (including landscape and green infrastructure)	
Strategic sites	
Health	
Digital infrastructure	
Waste	
Flood risk	
Water management (supply and wastewater treatment)	
Employment	
Gypsy and Traveller and Showperson Accommodation	
Retail	
Energy infrastructure	
Education (primary, secondary and higher education)	
Historic Environment	
Leisure provision	

	Strategic matter that will require ongoing engagement;
	Strategic matter that may require ongoing engagement;
	Strategic matter that is not <i>envisaged</i> to require ongoing engagement

George Candler
Executive Director Place and Economy
North Northamptonshire Council
Via email

Dear George,

I write to you in relation to the Duty to Cooperate for the preparation of the MK New City Plan, our new Local Plan. As we have previously discussed with your officers, we are at the stage of preparing evidence for the MK New City Plan. We are intending to consult upon a draft Regulation 18 plan in the summer 2023 with a view to consulting on a Regulation 19 plan in the summer 2024.

We want to agree with our neighbouring Local Planning Authorities the scope of strategic cross-boundary matters arising from the MK New City Plan that warrant discussion on an ongoing basis as part of the Duty to Cooperate. Set out in Appendix A are those matters we consider:

- Will or may require ongoing engagement;
- Those we do not envisage require engagement at this time with North Northants Council.

We would welcome your feedback on this so that we can agree the matters to be discussed under the Duty to Cooperate as we prepare the MK New City Plan, as a forerunner to establishing a Statement of Common Ground between the two authorities.

We would also like to establish regular Duty to Cooperate meetings, complemented by any additional meetings that may be required as we prepare the plan. We suggest meeting every three months, commencing in early October 2022. If you are agreeable, we will make the necessary arrangements for virtual meetings to take place. Please advise which officers you would like to attend from North Northants Council on a regular basis. Other officers can be invited as and when necessary, depending upon the matters to be discussed. At key stages it would also be helpful to engage with Members. However, this can be discussed and agreed at officer meetings in advance.

Yours sincerely



Paul Thomas, Director Planning and Placemaking

Planning

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Annex A –Matrices of Cross-boundary Strategic Matters – North Northants Council

Strategic Matter	Level of engagement
Employment	
Transport	
Housing Needs	
Natural Environment, (including landscape and green infrastructure)	
Strategic sites	
Health	
Digital infrastructure	
Waste	
Flood risk	
Water management (supply and wastewater treatment)	
Gypsy and Traveller and Showperson Accommodation	
Retail	
Energy infrastructure	
Education (primary, secondary and higher education)	
Historic Environment	
Leisure provision	

	Strategic matter that will require ongoing engagement;
	Strategic matter that may require ongoing engagement;
	Strategic matter that is not <i>envisaged</i> to require ongoing engagement

Stuart Timmiss
Executive Director Place and Economy
West Northamptonshire Council
Via email

Dear Stuart,

I write to you in relation to the Duty to Cooperate for the preparation of the MK New City Plan, our new Local Plan. As we have previously discussed with your officers, we are at the stage of preparing evidence for the MK New City Plan. We are intending to consult upon a draft Regulation 18 plan in the summer 2023 with a view to consulting on a Regulation 19 plan in the summer 2024.

We want to agree with our neighbouring Local Planning Authorities the scope of strategic cross-boundary matters arising from the MK New City Plan that warrant discussion on an ongoing basis as part of the Duty to Cooperate. Set out in Appendix A are those matters we consider:

- Will or may require ongoing engagement;
- Those we do not envisage require engagement at this time with West Northants Council.

We would welcome your feedback on this so that we can agree the matters to be discussed under the Duty to Cooperate as we prepare the MK New City Plan, as a forerunner to establishing a Statement of Common Ground between the two authorities.

We would also like to establish regular Duty to Cooperate meetings, complemented by any additional meetings that may be required as we prepare the plan. We suggest meeting every three months, commencing in early October 2022. If you are agreeable, we will make the necessary arrangements for virtual meetings to take place. Please advise which officers you would like to attend from West Northants Council on a regular basis. Other officers can be invited as and when necessary, depending upon the matters to be discussed. At key stages it would also be helpful to engage with Members. However, this can be discussed and agreed at officer meetings in advance.

Yours sincerely



Paul Thomas, Director Planning and Placemaking

Planning

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Annex A –Matrices of Cross-boundary Strategic Matters – West Northants Council

Strategic Matter	Level of engagement
Transport	
Housing Needs	
Natural Environment, (including landscape and green infrastructure)	
Strategic sites	
Health	
Digital infrastructure	
Waste	
Employment	
Gypsy and Traveller and Showperson Accommodation	
Retail	
Flood risk	
Water management (supply and wastewater treatment)	
Energy infrastructure	
Education (primary, secondary and higher education)	
Historic Environment	
Leisure provision	

	Strategic matter that will require ongoing engagement;
	Strategic matter that may require ongoing engagement;
	Strategic matter that is not <i>envisaged</i> to require ongoing engagement