



EAST CAMBRIDGESHIRE  
DISTRICT COUNCIL

# **STATEMENT OF COMPLIANCE WITH THE DUTY TO COOPERATE**

## **Evidence Report**

**February 2018**

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## Summary of this Statement

**No prescribed body has made any representation, either during or outside of a formal consultation stage, which states that they have a specific concern under the Duty to Cooperate.**

### PART 1

#### 1. The East Cambridgeshire Local Plan

- 1.1 East Cambridgeshire District Council (ECDC) is producing a Local Plan for the district. The Local Plan sets out the framework for how development proposals will be considered across the district to 2036 and, when adopted, will replace the current Local Plan.
- 1.2 This evidence report (which is part of a suite of evidence documents) seeks to demonstrate how ECDC has complied with the 'Duty to Cooperate' in preparing the Local Plan.

#### 2. Introduction to the Duty to Cooperate

##### 2.1 Localism Act 2011 and Planning and Compulsory Purchase Act 2004

- 2.1.1 Section 110 of the Localism Act 2011 introduced Section 33A to the Planning and Compulsory Purchase Act 2004, namely the "Duty to Co-operate in relation to planning of sustainable development" (referred to here-after as the 'duty'). The duty requires planning authorities, county councils and prescribed bodies to co-operate effectively with each other when preparing:
  - Development plan documents;
  - Other local development documents;
  - Marine plans; and
  - When undertaking activities that prepare the way for the preparation of, or support the preparation of, the above documents.
- 2.1.2 The duty only applies where such activities relate to a 'strategic matter'. A 'strategic matter' is defined by the Act (Section 33A, part (4)) as:
  - a) "sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas, and

- b) sustainable development or use of land in a two-tier area if the development or use—
  - (i) is a county matter, or
  - (ii) has or would have a significant impact on a county matter.”

## 2.2 National Planning Policy Framework 2012 (NPPF)

2.2.1 Paragraph 178 of the NPPF states that cooperation under the duty particularly applies to the ‘strategic priorities’ set out in paragraph 156 of the NPPF. The strategic priorities set out at paragraph 156 are:

- 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.

2.2.2 Paragraphs 178 to 182 of the NPPF set out the national policy for planning strategically across local boundaries and the role of duty to cooperate in the examination of plans.

**Figure 1- Extract from NPPF: paragraphs 178- 182**

### **Planning strategically across local boundaries**

178. Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities set out in paragraph 156. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.
179. 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. Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework. As part of this process, they should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.
180. Local planning authorities should take account of different geographic areas, including travel-to-work areas. In two tier areas, county and district authorities should cooperate with each other on relevant issues. Local planning authorities should work collaboratively on strategic planning priorities to enable delivery of sustainable development in consultation with Local Enterprise Partnerships and Local Nature Partnerships. Local planning authorities should also work collaboratively with private sector bodies, utility and infrastructure providers.
181. Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are

submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.

### Examining Local Plans

182. The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. ...”

- 2.2.3 Furthermore, there are two tests of soundness in the NPPF (paragraph 182) which relate directly to the duty:
- *Positively prepared* – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
  - *Effective* – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.

## 2.3 National Planning Practice Guidance (NPPG)

2.3.1 The NPPG (Ref ID 9-006-20160519) makes it clear that Local Enterprise Partnerships (LEPs) and Local Nature Partnerships (LNPs) “are not subject to the requirements of the duty”, but the Act (at 33(A)(2)(b)) and the Town and Country Planning Regulations require a local planning authority to have ‘regard to activities’ which they undertake.

2.3.2 Therefore, in effect, a ‘duty to cooperate’ exists between a local planning authority and the LEP / LNP and therefore for the purposes of the East Cambridgeshire Local Plan, those two bodies will be treated as being a full duty to cooperate body. For East Cambridgeshire the two bodies are:

- LEP – Greater Cambridge Greater Peterborough (GCGPLEP)
- LNP – Natural Cambridgeshire

2.3.3 For the avoidance for doubt, no other bodies, organisations, utility providers or other companies have been treated as falling under the duty to cooperate requirements.

2.3.4 The NPPG also makes the following guidance provisions in relation to the duty:

- The duty to cooperate is not a duty to agree. (Ref ID 9-001-20140306, 9-003-20140306 and 9-021-20140410)
- Local planning authorities and other public bodies need to work together from the outset at the plan scoping and evidence gathering stages before options for the planning strategy are identified. That will help to identify and assess the implications of any strategic cross boundary issues on which they need to work together and maximise the effectiveness of Local Plans. After that they will need to continue working together to develop effective planning policies and delivery strategies. Cooperation should continue until plans are submitted for examination and beyond, into delivery and review. (Ref ID 9-012-20140306)

## 2.4 Prescribed Bodies for East Cambridgeshire

2.4.1 The full list of ‘prescribed bodies’ that fall under the duty are set out in the Act itself plus the subsequent Town and Country Planning (Local Planning) (England) Regulations 2012. For East Cambridgeshire, they are as follows.

### 2.4.2 Local Planning Authorities

ECDC has taken this to mean all neighbouring authorities, namely:

- King’s Lynn and West Norfolk
- West Suffolk (Forest Heath and St Edmundsbury)
- South Cambridgeshire
- Huntingdonshire
- Fenland

### 2.4.3 County Councils

ECDC has taken this to mean the County Council that covers the planning area, as well as all County Councils which physically border East Cambridgeshire, namely:

- Cambridgeshire County Council
- Norfolk County Council
- Suffolk County Council

### 2.4.4 Other prescribed bodies

- Environment Agency
- Historic England (formerly English Heritage)
- Natural England
- Homes England (formerly Homes and Communities Agency)
- NHS Cambridgeshire and Peterborough Clinical Commissioning Group
- National Health Service England
- Office of Road and Rail
- Highways England
- Marine Management Organisation
- Cambridgeshire and Peterborough Combined Authority (the Integrated Transport Authority)

2.4.5 The Greater Cambridge Greater Peterborough Local Enterprise Partnership (GCGPLEP) and Natural Cambridgeshire Nature Partnership have also been treated as falling under the duty to cooperate requirements for the reasons outlined at 2.3.1.

2.4.6 Legally, the duty also applies to the bodies below. However, ECDC has decided that, in order to meet the requirement in the Act to maximise the effectiveness of preparing the Local Plan, it would be unnecessary, and indeed contrary to achieving ‘effectiveness’, to actively seek cooperation with the following prescribed bodies:

- Mayor of London
- Transport for London
- Civil Aviation Authority

- 2.4.7 In the case of the Civil Aviation Authority, East Cambridgeshire District Council was advised: *“While the CAA has a duty to provide aviation safety advice when requested, it is not a statutory consultee for planning applications (unless its own property is affected). In order to reduce the time devoted to unnecessary consultation, the following guidance aims to clarify requirements... it is not necessary to consult the CAA about: Strategic Planning Documents (e.g. Local Development Framework and Core Strategy Documents.... Please be advised that we will no longer respond to future correspondence received regarding the above subjects.”*

## 3. Strategic Context

### 3.1 Strategic Geography

- 3.1.1 The East Cambridgeshire Local Plan will cover the geographical area of the East Cambridgeshire district. For some issues, the strategic geography of the Local Plan extends wider than this physical geography. The strategic geographies are set out below.

**Table 1: Strategic Geographies**

Issue	Strategic geography
Housing	<p>A Strategic Housing Market Assessment was undertaken by the Cambridgeshire and Peterborough Joint Strategic Planning Unit and determines housing need across the housing market area of seven districts, namely: East Cambridgeshire, South Cambridgeshire, Huntingdonshire, Fenland, St Edmundsbury, Forest Heath and Cambridge.</p> <p>The Cambridge Sub Regional Strategic Housing Market Assessment (SHMA) (2013) highlights the strong relationship between the authorities.</p>
Economy	<p>Functional Economic Market Area (FEMA): Cambridgeshire and Peterborough operate as a functional economic market area (FEMA). The economic structure of the region shows high levels of economic integration, in terms of the labour market, travel to work areas and a number of the area’s key sectors.</p> <p>Greater Cambridgeshire Greater Peterborough Local Enterprise Partnership (LEP) area: The LEP area comprises of the following local authority areas, reflecting the fact that there are wider functioning markets outside Cambridgeshire and Peterborough: Cambridge; East Cambridgeshire; Fenland; Forest Heath; Huntingdonshire; North Hertfordshire; Peterborough; Rutland; South Cambridgeshire; South Holland; South Kesteven; St Edmundsbury; Uttlesford; West Norfolk and King’s Lynn.</p>
Highways	<p>The Cambridgeshire Local Transport Plan (LTP) 2011-2031 (July 2015) was produced by Cambridgeshire County Council in partnership with Cambridge City Council and the district councils of East Cambridgeshire, Fenland, Huntingdonshire and South Cambridgeshire to ensure an integrated approach to transport challenges.</p>

	<p>Cambridgeshire County Council then prepared the Transport Strategy for East Cambridgeshire (TSEC) which provides a detailed policy framework and Action Plan of potential transport improvements for the area which are consistent with the LTP.</p> <p>The LTP and TSEC identified the following:</p> <ul style="list-style-type: none"> <li>• Approximately 45% of the district’s population live in the city of Ely and the market towns of Littleport and Soham with the rest spread between approximately 50 villages.</li> <li>• There are high levels of out-commuting to jobs in the Cambridge area despite an increase in vacancies locally.</li> <li>• While the pace of growth has slowed, the district remains the fastest growing in Cambridgeshire.</li> <li>• There is limited highway and rail capacity.</li> </ul> <p>The Combined Authority now has responsibility for preparing the Local Transport Plan, and produced an interim version in 2017 which, in effect, rolled over the Cambridgeshire (2015) version, merging it with a similar document covering Peterborough.</p>
Habitats	<p>The geographical area considered in relation to habitats extends beyond the East Cambridgeshire area: the Habitats Regulation Assessment Methodology and Screening Document for the Proposed Submission Local Plan (Nov 2017) considers the impact of the Local Plan on European Sites within 15km of the East Cambridgeshire boundary to reflect the fact that the Local Plan may affect sites outside the plan area.</p>
Flood catchment areas	<p>The flood catchment area of the Great Ouse River that runs through East Cambridgeshire extends wider than the authority boundary. The Great Ouse Catchment Flood Management Plan (CFMP) provides an overview of the flood risk across the river catchment and recommended ways of managing the risk now and over the next 50 to 100 years.</p>

## 3.2 Strategic Development Priorities

3.2.1 The objectives for East Cambridgeshire are set out in section 2.1.12 of the Local Plan. These are:

- 1 Land and water resources –
  1. Minimise the irreversible loss of undeveloped land and productive agricultural holdings;
  2. Reduce the use or sterilisation of non-renewable resources;
  3. Limit water consumption to levels supportable by natural processes and storage systems.
- 2 Biodiversity –
  1. Avoid damage to designated statutory and non-statutory sites and protected species;
  2. Maintain and enhance the range and viability of characteristic habitats and species;
  3. Improve opportunities for people to access and appreciate wildlife and wild places.

- 3 Landscape, townscape and archaeology –
  1. Conserve and enhance the historic environment, heritage assets and their setting;
  2. Maintain and enhance the diversity and distinctiveness of landscape and townscape character;
  3. Create places, spaces and buildings that work well, wear well and look good.
  
- 4 Climate change and pollution –
  1. Reduce emissions of greenhouse gases and other pollutants;
  2. Minimise waste production and support the recycling of waste products;
  3. Limit or reduce vulnerability to the effects of climate change (including flooding).
  
- 5 Healthy communities –
  1. Maintain and enhance human health;
  2. Reduce and prevent crime, and reduce the fear of crime;
  3. Improve the quantity and quality of publicly accessible open space.
  
- 6 Inclusive communities –
  1. Improve the quality, range and accessibility of services and facilities (e.g. health, transport, education, training, leisure opportunities);
  2. Redress inequalities related to age, gender, disability, race, faith, location and income;
  3. Ensure all groups have access to decent, appropriate and affordable housing;
  4. Encourage and enable the active involvement of local people in community activities.
  
- 7 Economic activity –
  1. Help people gain access to local satisfying work, appropriate to their skills and potential;
  2. Support appropriate investment in people, places, communications and other infrastructure;
  3. Improve the efficiency, competitiveness, vitality and adaptability of the local economy especially Ely and the market towns.

### 3.3 Key Relationships and Bodies

- 3.3.1 The working relationships used to address the strategic priorities and the bodies involved are detailed in section 4 of this report.

## 4. Strategic Planning Issues

### 4.1 Summary of strategic planning issues, partners and evidence of joint working

4.1.1 Table 2 below shows how the strategic planning issues (as defined by the NPPF) of the East Cambridgeshire Local Plan have been addressed through joint working.

**Table 2: Summary of Strategic Planning Issues, Partners and Evidence of Joint Working**

Strategic Issue (NPPF para 156 and corresponding Local Plan objectives)	Strategic Planning Issue/s for East Cambridgeshire	Bodies worked with	Joint working: evidence / agreements / actions
<p><b>HOUSING</b></p> <p><b>NPPF:</b> The homes needed in the area</p> <p><b>Local Plan Objective:</b> 6 (3) Ensure all groups have access to decent, appropriate and affordable housing.</p>	<p>Total dwelling provision of 10,835 dwellings over the 2016 – 2036 plan period.</p> <p>This figure is based on the identified Local Housing Need, adjusted by a redistribution of 1,125 dwellings of East Cambridgeshire’s housing need across the Cambridge sub- region.</p> <p>Through a ‘Memorandum of Cooperation’ (appendix 1) between the Cambridgeshire authorities and Peterborough, it was agreed that</p>	<p>All adjoining Local Planning Authorities:</p> <ul style="list-style-type: none"> <li>• King’s Lynn and West Norfolk Borough Council</li> <li>• West Suffolk Councils</li> <li>• South Cambridgeshire District Council</li> <li>• Huntingdonshire District Council</li> <li>• Fenland District Council</li> </ul> <p>Plus wider bodies, such as Peterborough City Council</p>	<p>All adjoining Local Planning Authorities were contacted under the DTC and asked to confirm:</p> <ul style="list-style-type: none"> <li>• In relation to housing, that the authority was content with the position that ECDC has no intention to accommodate any need arising from outside its area, and that dwellings of its own need is redistributed to Peterborough City Council.</li> <li>• And more generally, that they agreed that there was nothing in the emerging East Cambridgeshire Local Plan that amounted to a cross border “strategic matter” as defined in section 33A of the Act and as a result, there was no requirement for any joint plan preparation or associated activities between ECDC and the authority in question.</li> </ul> <p>In addition, further informal communication across applicable bodies took place throughout the preparation of the plan, including preparation and agreement on an updated statement (ref PE04), which was prepared to satisfy concerns expressed by some (mostly developers) that the MoC was no longer valid or was out of date.</p> <p>In summary, none of the applicable DtC bodies (including those left) have objected at any stage, under the Duty to Cooperate, to the level of housing growth in the Plan. Indeed, the opposite – where a view has been</p>

	<p>Peterborough City Council would accommodate 2,500 of the housing need arising in the Cambridge Sub-Region Housing Market Area, 2011-31. As part of that redistribution, East Cambridgeshire had its housing target reduced from the originally identified need figure. This collaborative approach was undertaken as part of the requirements of the duty to co-operate as set out in the Localism Act 2011, and was endorsed by a Planning Inspector in March 2015. The Inspector for the East Cambridgeshire Local Plan stated in his Inspector's Report (March 2015, para 28) that, following consideration of all the issues, the approach outlined above "does not therefore appear either unreasonable or inconsistent with the overall policy thrust of the [National Planning Policy] Framework".</p>		<p>expressed, it has been a supporting one.</p>
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	Further details on this cooperation is set out in other evidence reports.		
<p><b>EMPLOYMENT</b></p> <p><b>NPPF:</b> The jobs needed in the area</p> <p><b>Local Plan Objectives:</b> 7 (1) Help people gain access to local satisfying work, appropriate to their skills and potential</p> <p>7 (3) Improve the efficiency, competitiveness, vitality and adaptability of the local economy especially Ely and the market towns.</p>	To deliver around 150ha of employment land over the plan period, including five Strategic Employment Allocations and development at the Lancaster Way Business Park.	<p>All adjoining Local Planning Authorities (see list as per housing)</p> <p>Greater Cambridgeshire Greater Peterborough Local Enterprise Partnership</p>	<p>All adjoining Local Planning Authorities were contacted under the DTC and asked to confirm that they agreed that there was nothing in the emerging East Cambridgeshire Local Plan that amounted to a cross border “strategic matter” as defined in section 33A of the Act and as a result, there was no requirement for any joint plan preparation or associated activities between ECDC and the authority in question.</p> <p>The LEP made no representations on the Local Plan.</p> <p>In summary, none of the applicable DtC bodies (including those left) have objected at any stage, under the Duty to Cooperate, to meeting the jobs needed in the area.</p>
<p><b>ECONOMY</b></p> <p><b>NPPF:</b> The provision of retail, leisure and other commercial development</p> <p><b>Local Plan Objectives:</b> 6 (1) Improve the</p>	To deliver around 150ha of employment land over the plan period, including five Strategic Employment Allocations and development at the Lancaster Way Business Park.	<p>All adjoining Local Planning Authorities (see list as per housing)</p> <p>Greater Cambridgeshire Greater Peterborough Local Enterprise Partnership</p>	See above

<p>quality, range and accessibility of services and facilities (e.g. health, transport, education, training, leisure opportunities).</p> <p>7 (3) Improve the efficiency, competitiveness, vitality and adaptability of the local economy especially Ely and the market towns.</p>			
<p><b>INFRASTRUCTURE</b></p> <p><b>NPPF:</b> 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)</p> <p><b>Local Plan Objective:</b> 7 (2) Support appropriate investment in people, places, communications and other infrastructure.</p>	<p>To deliver appropriate infrastructure to accommodate the growth proposals.</p>	<p>All adjoining Local Planning Authorities (see list as per housing)</p> <p>Greater Cambridgeshire Greater Peterborough Local Enterprise Partnership</p> <p>Highways England</p> <p>Office of Road and Rail</p> <p>Environment Agency (EA)</p>	<p>All adjoining Local Planning Authorities were contacted under the DTC and asked to confirm that they agreed that there was nothing in the emerging East Cambridgeshire Local Plan that amounted to a cross border “strategic matter” as defined in section 33A of the Act and as a result, there was no requirement for any joint plan preparation or associated activities between ECDC and the authority in question.</p> <p>Whilst some of the DtC bodies made representations on the plan, some of which had links to infrastructure matters, in summary, none of the applicable DtC bodies (including those left) have objected at any stage, under the specifics of the Duty to Cooperate, to infrastructure matters.</p>

<p><b>COMMUNITY FACILITIES</b></p> <p><b>NPPF:</b> The provision of health, security, community and cultural infrastructure and other local facilities.</p> <p><b>Local Plan Objectives:</b> 5 (1) Maintain and enhance human health.</p> <p>5 (2) Reduce and prevent crime, and reduce fear of crime.</p> <p>5 (3) Improve the quantity and quality of publicly accessible open space.</p> <p>6 (1) Improve the quality, range and accessibility of services and facilities (e.g. health, transport education, training, leisure opportunities).</p>	<p>To provide and protect community facilities.</p>	<p>All adjoining Local Planning Authorities (see list as per housing)</p>	<p>All adjoining Local Planning Authorities were contacted under the DTC and asked to confirm that they agreed that there was nothing in the emerging East Cambridgeshire Local Plan that amounted to a cross border “strategic matter” as defined in section 33A of the Act and as a result, there was no requirement for any joint plan preparation or associated activities between ECDC and the authority in question.</p> <p>Whilst some of the DtC bodies made representations on the plan, some of which had links to community facilities matters, in summary, none of the applicable DtC bodies (including those left) have objected at any stage, under the specifics of the Duty to Cooperate, to such matters.</p>
<p><b>CLIMATE CHANGE</b></p> <p><b>NPPF:</b></p>	<p>To allocate sites away from risk of flooding.</p>	<p>Environment Agency</p>	<p>The EA has been fully involved in a variety of pieces of work, and have made representations at the various consultation stages. No specific DtC have been raised, though matters of detailed policy wording have been</p>

<p>Climate change mitigation and adaptation</p> <p><b>Local Plan Objectives:</b>  4(1) Reduce emissions of greenhouse gases and other pollutants.  4(2) Minimise waste production and support the recycling of waste products.  4(3) Limit or reduce vulnerability to the effects of climate change (including flooding).</p>			<p>raised. We intend to continue a dialogue with EA on these matters, potentially resulting in a statement of common ground and/or suggested modifications.</p> <p>However, for the purpose of this Statement, EA has not stated that we have failed in any way under the DtC.</p>
<p><b>THE ENVIRONMENT</b></p> <p><b>NPPF:</b>  Conservation and enhancement of the natural and historic environment, including landscape</p> <p><b>Local Plan Objectives:</b>  1(1) Minimise the irreversible loss of undeveloped land and productive agricultural holdings.  1(2) Reduce the use or sterilisation of non-renewable resources</p>	<p>To protect the highly valued landscape, nature conservation and historic environment.</p>	<p>Environment Agency</p> <p>Historic England (formerly English Heritage)</p> <p>Natural England</p> <p>Cambridgeshire County Council</p> <p>Suffolk County Council</p> <p>Norfolk County Council</p>	<p><b>Environment Agency, Historic England and Natural England</b></p> <p>The EA, HE and NE have been fully involved in preparation of the plan, and have made representations at the various consultation stages. No specific DtC have been raised, though matters of detailed policy wording have been raised. We intend to continue a dialogue with EA, HE and NE on these matters, potentially resulting in statements of common ground and/or suggested modifications.</p> <p>However, for the purpose of this Statement, EA, HE or NE have not stated that we have failed in any way under the DtC.</p> <p><b>Other Bodies</b>  No representations under the DtC on this matter</p>

<p>2(1) Avoid damage to designated statutory and non-statutory sites and protected species</p> <p>2(2) Maintain and enhance the range and viability of characteristic habitats and species;</p> <p>2(3) Improve opportunities for people to access and appreciate wildlife and wild places</p> <p>3(1) Conserve and enhance the historic environment, heritage assets and their setting.</p> <p>3(2) Maintain and enhance the diversity and distinctiveness of landscape and townscape character.</p> <p>3(3) Create places, spaces and buildings that work well, wear well and look good.</p>			
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## 5. Conclusion

- 5.1 In preparing the East Cambridgeshire Local Plan, considerable efforts to cooperate with the various Duty to Cooperate bodies and organisations has taken place.
- 5.2 As detailed in Section 4 of this report, **no prescribed body has made any representation, either during or outside of a formal consultation stage, which states that they have a specific concern under the Duty to Cooperate.** However, a number of those bodies have, appropriately, raised detailed matters on, for example, policy wording and/or have contributed to various elements of the evidence base. We have worked closely with each to address these concerns, as far as possible, and will continue to do so during the examination period.
- 5.3 For completeness, some organisations and individual representors, which are not prescribed bodies for the purpose of the DtC, have made representations casting doubt as to whether the council has appropriately fulfilled its 'duty to cooperate'. These are predominantly in two categories: developers (or similar) objecting to the way housing growth targets have been calculated and redistributed; and second, relating to the Kennett allocation, suggesting duty to cooperate failings in relation to working with Forest Heath. However, the Council is firmly of the opinion that these are matters which are appropriately subject to examination matters and issues. They are not potential failings under the 'duty to cooperate'.
- 5.3 Overall, therefore, ECDC is not aware of any Duty to Cooperate issues, and is not expecting the legal Duty to Cooperate test to be a matter of any significance during the examination of the Plan by the Inspector.