
**Bath & North East
Somerset Council**

Improving People's Lives

**Bath and North East Somerset Council
Local Plan 2025 – 2043**

**Pre-Submission Draft Local Plan (Reg 19)
September 2026**

Duty to Cooperate Statement



Local Plan 2025-2043

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1. Duty to Cooperate Requirements

1.1 The duty to cooperate was introduced by the Localism Act 2011, and was set out in section 33A of the Planning and Compulsory Purchase Act 2004, placing a legal duty on local planning authorities and county councils in England, and prescribed public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters.

1.2 However, the statutory Duty to Cooperate has since been removed through reforms introduced by the Levelling-up and Regeneration Act 2023. As a result, local plans submitted under the current system are no longer subject to a separate legal Duty to Cooperate test at examination.

1.3 Bath & North East Somerset Council is submitting its Local Plan under the National Planning Policy Framework (NPPF) published in December 2024, as amended in February 2025. The NPPF (2024) sets out that effective strategic planning across local authority boundaries plays an important role in delivering sustainable growth and addressing strategic matters that extend beyond individual administrative areas, including housing delivery, strategic infrastructure, economic growth and climate resilience (NPPF paragraph 24).

1.4 Strategic policy-making authorities are expected to work collaboratively with neighbouring authorities, prescribed bodies, infrastructure providers and other relevant organisations to identify and address cross-boundary issues (NPPF paragraph 25).

1.5 Effective and ongoing joint working is integral to the preparation of positively prepared and justified plans, including identifying infrastructure requirements and considering whether development needs that cannot be met within one authority area could be accommodated elsewhere (NPPF paragraph 26).

1.6 National policy expects strategic policies to align as fully as possible where cross-boundary relationships exist, including through a consistent approach to

strategic infrastructure and the management of cross-boundary development matters (NPPF paragraph 27).

1.7 To demonstrate effective cooperation and provide transparency throughout the plan-making process, authorities are expected to prepare and maintain Statements of Common Ground documenting strategic matters and progress in addressing them (NPPF paragraph 28).

1.8 Although the statutory Duty to Cooperate has been removed, national policy continues to place significant emphasis on effective strategic planning and collaboration between authorities and other relevant bodies through the expectations set out in paragraphs 24-28 of the NPPF 2024. This Statement therefore sets out how Bath & North East Somerset Council has engaged with neighbouring authorities, prescribed bodies and key stakeholders throughout the preparation of the Local Plan to address strategic cross-boundary matters and support the delivery of a positively prepared and justified plan.

2. Engagement with neighbouring local authorities

2.1 As required by national planning policy, Bath and North East Somerset Council has engaged constructively, actively and on an ongoing basis with neighbouring local planning authorities in relation to strategic cross-boundary matters arising through the preparation of the Draft Local Plan 2025-2043.

2.2 . The main cross boundary strategic matters on which B&NES are engaging are summarised below:

- Assessment of and responding to housing need including the quantum of housing, strategic locations adjacent to boundaries, any unmet needs; affordable housing; and gypsy and traveller provision,
- Assessment and delivery of economic development requirements including location and type of new employment development, travel to work and commuting flows.
- Assessment and identification of strategic infrastructure, including transport, flood, waste, community infrastructure with cross-boundary implications.
- Assessment of and approach to climate change mitigation and adaptation including location of renewables and green infrastructure
- Nature recovery, ecological, landscape and habitat considerations impacting on cross-boundary issues.
- Health Inequality.
- Green Belt.
- Development Design and Quality.
- Minerals.

2.3 Statements of Common Ground (SoCGs) with neighbouring authorities will be prepared for submission of the Draft Plan, and maintained, to document areas of agreement, matters requiring further consideration, and the outcomes of joint working on strategic planning issues. Currently it is anticipated that a SoCG will be prepared with the following local authorities:

- Wiltshire Council
- South Gloucestershire Council
- Bristol City Council
- North Somerset Council
- Somerset Council
- West of England Mayoral Combined Authority.

3. Engagement with Prescribed Bodies

3.1 Throughout the preparation of the Draft Local Plan 2025-2043, Bath and North East Somerset Council has engaged with prescribed bodies, in accordance with requirements set out in the NPPF 2024. Engagement has taken place throughout various stages of consultation , undertaking targeted engagement activities, technical meetings, workshops, and correspondence with each of the Bodies.

3.2 The key stages in the preparation of the Local Plan are set out below:

- **Stage 1:** Local Plan Launch Consultation (October to November 2022)
- **Stage 2:** Targeted Engagement (January to September 2023)
- **Stage 3:** Local Plan Options Consultation (February to April 2024)
- **Local Plan Reset:** Following changes to national planning policy in late 2024, the Council reviewed and reset the Local Plan process, including further consideration of growth requirements, development strategy and plan evidence.
- **Stage 3 (Updated):** Local Plan Options Consultation (October to November 2025)
- **Stage 4:** Draft Local Plan (Regulation 19) Consultation (September to October 2026)
- **Submission:** Planned submission of the Local Plan for independent examination (December 2026)

3.3 Prescribed bodies and neighbouring authorities were notified and invited to participate at each relevant stage of plan preparation. In addition to formal consultation exercises, the Council has maintained ongoing engagement with relevant organisations on strategic cross-boundary matters including housing, employment, transport, infrastructure, environmental issues, climate change and the provision of community facilities.

3.4 The following sections summarise the engagement undertaken with prescribed bodies and neighbouring authorities during the preparation of the Draft Local Plan and identify how strategic matters have been considered and addressed through joint working.

National Highways

3.5 B&NES policy and transport strategy officers have met with National Highways to discuss the emerging Local Plan, transport evidence and potential impacts on the Strategic Road Network. Engagement has included consideration of proposed site allocations, transport modelling and the potential preparation of a SoCG, with ongoing discussions continuing as the Plan progresses towards submission.

Historic England

3.6 B&NES policy officers have met with Historic England to discuss the emerging Local Plan, heritage policy and the potential impacts of strategic development on designated heritage assets. Engagement has focused on the implications of growth options within and adjacent to Bath, as well as heritage considerations associated with proposed site allocations including Whitchurch Village and sites within the Somer Valley. Ongoing discussions have also covered opportunities for urban intensification, mitigation measures, archaeological considerations and responses to Historic England's representations. Further discussions will continue as the Plan progresses towards submission, including the preparation of a SoCG, where relevant.

Natural England (NE)

3.7 B&NES policy officers and ecologist have met with Natural England to discuss the emerging Local Plan, including environmental policies, biodiversity net gain, green infrastructure, climate change, protected species, landscape matters and the Habitats Regulations Assessment (HRA). Engagement has also focused on the application of the Natural England Green Infrastructure Framework and how its principles can be incorporated into the Local Plan and supporting strategies. In addition, discussions have provided updates on the Local Plan programme, evidence base and site allocation options.

3.8 Ongoing discussions with Natural England have considered ecological constraints, particularly impacts on internationally important bat populations and

Special Areas of Conservation, as well as the implications of development for National Landscapes and wider green infrastructure networks. Natural England has provided advice on policy wording, HRA findings, mitigation requirements and the environmental deliverability of site allocations. Further discussions will continue as the Plan progresses towards submission, including the preparation of a Statement of Common Ground, where relevant.

Environment Agency (EA)

3.9 B&NES policy officers have met with the Environment Agency to discuss the preparation of the Local Plan and supporting evidence base, including the Strategic Flood Risk Assessment (SFRA), flood risk, water infrastructure and climate change resilience. Engagement has included discussions on proposed site allocations, cumulative flood risk impacts, strategic flood infrastructure, reservoir risk, and the environmental deliverability of development sites. The Environment Agency has also provided advice on Development Management policies relating to sustainable drainage systems (SuDS), green infrastructure, water management and flood risk. Further discussions will continue as the Plan progresses towards submission, including the preparation of a SoCG, where relevant.

B&NES Clinical Care Commissioning Group (CCG) and NHS (Bath, Swindon and Wiltshire)

3.10 Following changes introduced by the Health and Care Act 2022, Integrated Care Systems (ICSs) became the statutory bodies responsible for planning and coordinating health services, replacing Clinical Commissioning Groups (CCGs) from 1 July 2022. Each ICS comprises an Integrated Care Board (ICB) and an Integrated Care Partnership (ICP).

3.11 Engagement has taken place with NHS Bath and North East Somerset, Swindon and Wiltshire Integrated Care Board (BSW ICB), NHS Property Services and other health sector partners to discuss the implications of the emerging Local Plan for healthcare provision and associated infrastructure needs

arising from planned population growth. Discussions have focused on primary care capacity, neighbourhood health hubs, integrated health facilities, site allocations, developer contributions, infrastructure funding, and the delivery of healthcare services in locations experiencing significant growth. Ongoing engagement has also considered the role of NHS estate assets, future service models and opportunities to support the delivery of health infrastructure through the Local Plan and associated Infrastructure Delivery Plan. Further discussions will continue as the Plan progresses towards submission, including the preparation of a Statement of Common Ground where relevant.

4. Ongoing Work Required

- 4.1 As set out previously, ongoing engagement and correspondence with neighbouring authorities and prescribed bodies will occur through to submission, which is currently expected in December 2026. This Duty Co-operate Statement and, as relevant, SoCGs, will be published at or during the lead up to submission of the Local Plan for examination.