**From:** Turner, Steve   
**Sent:** 21 January 2015 16:12  
**To:** 'Carnaby, Stephen'  
**Cc:** 'Liddington, Stuart'; Young, Robert; Steward, Pat  
**Subject:** Torbay Local Plan Examination - Duty to Cooperate: updated text for Mr. Keith Holland, Examination Inspector

Dear Steve,

Following the close of the Torbay Local Plan Hearing Sessions in November 2014, the Examination Inspector asked the Council to provide him with a range of additional information. This was submitted to Keith Holland as a series of Appendices attached to my email dated 11 December 2014.

Appendix 5.1 included proposed new text for insertion in the Council’s Submission Document SD15 ‘Duty to Cooperate Statement’. This text was prefaced with a note that, at that time, the Council was awaiting formal confirmation from the two adjoining local planning authorities, namely South Hams and Teignbridge District Councils, that the suggested amended text was acceptable to these parties.

This additional text has now been agreed in principle by both authorities at senior officer level. Accordingly, this new section represents a jointly agreed position that is now formally resubmitted to the Inspector for his consideration.

I would therefore be grateful if you could forward this email to the Examination Inspector.

Kind regards,

Steve.

**Steve Turner**

**Team Leader - Strategic Planning**

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FOR THE ATTENTION OF MR.KEITH HOLLAND, TORBAY LOCAL PLAN EXAMINATION INSPECTOR

The following new text (shown in red), which has the joint agreement of senior officers of Torbay Council, South Hams District Council and Teignbridge District Council (at 21 December 2015), is to be inserted on Page 24 of Submission Document SD15:

“**Position agreed**

Torbay and Teignbridge Councils have agreed to a coordinated and positive review of the Councils’ Local Plans every five years taking account of joint monitoring, also involving South Hams District Council as the other planning authority which adjoins Torbay. This review will consider the need for and location of further development on a sub-regional basis taking account of jointly prepared and consistent evidence, in order to inform future reviews of the three Local Plans. This is reflected in Teignbridge District Council’s Duty to Cooperate Statement.

Notwithstanding the fact that Local Plans within the three Councils (Torbay, Teignbridge and South Hams) have been and continue to be produced on different time scales, the three Councils have agreed that the principles identified in the preceding paragraph will be reinforced through the following actions:

1. Positive and coordinated cross-boundary working

* The Councils will work together and use consistent data to assess performance against local plan requirements;
* The Councils will initially seek to accommodate additional housing land required within their own planning area to meet their own requirements.  In exceptional circumstances, if additional land is required to meet evidenced housing need, land will be carefully assessed on a cross-boundary basis against appropriate criteria in relevant planning documents, having regard to the principles of the development strategies in place in each local authority area.  It is recognised that each Council will continue to retain responsibility for the preparation of their own development plan(s).

1. Joint Monitoring

* The Councils will work together to establish and run the South Devon Delivery Review Panel, comprising representatives from the three Councils, infrastructure providers, environmental bodies, businesses representatives and homebuilders, to inform future reviews of the relevant local plan documents;
* The South Devon Delivery Review Panel will meet at least annually, timed to coordinate with the Councils’ Authority Monitoring Report requirements, to review delivery of jobs, homes and infrastructure (including green infrastructure) in the South Devon area;
* The South Devon Delivery Review Panel will utilise consistent data (as used by all three Councils) to assess delivery;
* The South Devon Delivery Review Panel will complement the activities of the Exeter and East Devon Growth Point team and the Teignbridge Infrastructure Board and provide a useful conduit for informing and influencing the Heart of the South West LEP;
* The South Devon Delivery Review Panel will review the delivery of local plans and will provide advice accordingly to the three Councils on the need for and locations of further development.

1. Analysis of need for and location of further development

* The three Councils will, jointly, put mechanisms in place to ensure that, if housing land availability is falling behind market delivery and housing need requirements (when assessed against agreed criteria) then further sites will be brought forward to meet housing need requirements through the local plan process.
* These mechanisms could involve, for example, the joint consideration of additional potential development sites during preparation and review of local plans. This would involve the careful selection of those sites to come forward for development using consistent methodology and information, to ensure that housing need is met in the right locations, at the right time and with the right outcomes, subject to the agreement of individual local planning authorities.

It is agreed that South Hams and Torbay comprise separate housing market areas .............”

TORBAY COUNCIL - 21 JANUARY 2015

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