



Department for Levelling Up,
Housing & Communities

Rachel Maclean MP

Minister of State for Housing and Planning
2 Marsham Street
London
SW1P 4DF

Our reference: 30684992

Neil O'Brien MP
House of Commons
London
SW1A 0AA

8 September 2023

Dear Neil,

Thank you for your email of 18 August regarding the duty to cooperate and sharing the letter you received from the leader of Harborough District Council. I am also aware that Cllr Knowles has written to the Secretary of State separately on this matter.

Due to the Secretary of State's quasi-judicial functions in the planning system, I am unable to provide advice on the production of a specific local plan. However, I am happy to provide more general comments on the duty to cooperate and on the proposed legislative and policy changes to the planning system.

The duty to cooperate will be formally abolished after the Levelling Up and Regeneration Bill receives royal assent. However, the Government has confirmed that plan makers will have until 30 June 2025 to submit their local plans for independent examination under the existing legal framework. This will mean that existing legal requirements and duties, including the duty to cooperate, will still apply. An authority that submits its plan after 30 June 2025 would not have to meet the requirements of the duty to cooperate.

Plan-makers are expected to provide for the objectively assessed needs for housing in their area unless the policy constraints of doing so or the adverse impacts of doing so would outweigh the benefits. There is no formula imposed by the Government through which housing need for an area or unmet need must be transferred from one area to another. This is a matter for local planning authorities to agree to, through the duty to cooperate and the production of statements of common ground.

Authorities which are seeking to have their unmet need met by other local planning authorities will have to satisfy an inspector that they have met as much of their need as they can through the process of producing their local plan.

Thank you again for your email.

Yours sincerely,

RACHEL MACLEAN MP
Minister of State for Housing and Planning