

**Merton Sites and Policies Plan Examination in Public
Written Statement on Matter 1 – Meeting the Duty to Co-operate**

**London Gypsy and Traveller Unit
12 December 2013**

1. In our previous consultation responses we argued that the Council had not met the Duty to Co-operate with neighbouring Boroughs on the issue of Gypsy and Traveller site provision, as no evidence of collaborative work was presented as part of the evidence base.
2. While we welcome the Council's 'Duty to Co-operate Statement' from September 2013, we wish to make a number of comments on the evidence it presents and how it relates to the requirements of the National Planning Policy Framework and Planning Policy for Traveller Sites.
3. First of all, paragraph 181 of the NPPF states that

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

4. We would note that the evidence presented in the 'Duty to Co-operate Statement' regarding collaborative work on Gypsy and Traveller provision refers mainly to emails sent to neighbouring Boroughs and agendas from meetings which took place in July/August 2012. However, the minutes of these discussions and the replies from the other Local Authorities have not been included in this evidence paper, therefore it is very difficult to judge the other Boroughs' position. The only action points arising from these meetings regarding Gypsy and Traveller issues are for Merton officers to organise a workshop in August 2012, but no further engagement has been documented since.
5. In addition, the activity of the South London Partnership and the South London Gypsies and Travellers working group is not detailed in the evidence paper through minutes from meetings, work programmes, reports or other forms of joint evidence.
6. We note that the other Boroughs have also committed in their Local Plans to review the future needs of Gypsies and Travellers. The Duty to Co-operate Statement does not provide details of how collaborative work approaches will be undertaken by the Boroughs as part of a continuous engagement process on this matter.

7. Given the NPPF recommendations for possible work approaches, we do not consider this evidence sufficient to reflect a joint agreement or detailed work plan. To ensure that collaboration is carried out through the implementation of the plan and to align the various timetables of the six Boroughs, we consider that a more detailed joint action plan would be necessary.
8. Secondly, we wish to point out the requirements in paragraph 179 of the NPPF and 9 c) of the PPTS, to work together with neighbouring authorities to meet development requirements which cannot be met locally due to various constraints, such as physical capacity. Since the Sites and Policies Plan selection process was unable to identify potential Gypsy and Traveller site locations, collaboration with neighbouring Boroughs would have been expected to overcome this constraint. If the Council has undertaken this work, we consider it should be included in the Duty to Co-operate statement as part of the evidence base and discussed during the Examination in Public.