

**CABINET – 12 SEPTEMBER 2025****HARBOROUGH LOCAL PLAN - DUTY TO COOPERATE  
STATEMENT OF COMMON GROUND WITH LEICESTERSHIRE  
COUNTY COUNCIL****REPORT OF THE CHIEF EXECUTIVE****PART A****Purpose of the Report**

1. The purpose of this report is to advise the Cabinet of the progress of Harborough District Council's Local Plan and to seek approval for the County Council to become a signatory to a Statement of Common Ground with Harborough District Council (Harborough DC) regarding the two Authorities' 'Duty to Cooperate'.
2. The Statement of Common Ground (appended to this report) confirms that Harborough DC and the County Council have effectively and regularly cooperated to consider strategic and cross-boundary matters associated with the production of the Harborough Local Plan. It focuses on the *engagement related requirements* of the Duty to Cooperate and is produced without prejudice to other matters of detail that the parties may wish to raise during the Local Plan examination.

**Recommendations**

3. It is recommended that the County Council becomes a signatory to the 'Harborough Local Plan Duty to Cooperate Statement of Common Ground with Leicestershire County Council'.

**Reasons for Recommendation**

4. The Duty to Cooperate (DtC) is a legal duty for local planning authorities, county councils and relevant bodies to 'engage constructively, actively and on an ongoing basis in any process' including the preparation of development plan documents. This Statement of Common Ground (SoCG) has been jointly produced by Harborough District Council and the County Council to confirm that the parties have effectively and regularly cooperated to consider strategic and cross boundary matters associated with the production of the Harborough Local Plan.

### **Timetable for Decisions (including Scrutiny)**

5. The SoCG will need to be approved by both Leicestershire County Council and Harborough DC to support the submission of the Harborough Local Plan.

### **Policy Framework and Previous Decisions**

6. In February 2024, the Cabinet approved the response to Harborough DC's Local Plan Issues and Options Consultation at Regulation 18 stage, which is the first formal stage of consultation for the Local Plan.
7. In March 2025, the Cabinet approved the response to Harborough DC's Proposed Submission Draft (Regulation 19) Harborough Local Plan 2020-2041. Regulation 19 represents the final stage of public consultation before the plan is formally submitted and allows for representations on the plan's soundness and legal compliance.

### **Resource Implications**

8. The County Council has committed significant resources to engaging in, and supporting, a collaborative approach to strategic planning in order to facilitate the delivery of growth within the County and to mitigate the negative impacts of development, to the extent that it is reasonably possible to do.
9. The County Council continues to seek to provide support for a Local Plan that provides as robust as possible policy platform for securing the provision of infrastructure and services required to support its successful delivery.
10. The Director of Corporate Resources and the Director of Law and Governance have been consulted on this report.

### **Circulation under the Local Issues Alert Procedure**

11. This report will be circulated to all Members.

### **Officers to Contact**

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## **PART B**

### **Background**

12. The current Harborough Local Plan was adopted by the District Council in April 2019 and covers the Plan period 2011 to 2031. It is a legal requirement that Councils review its Local Plan within five years of adoption, to decide whether the plan needs to be updated, either in whole or in part. A review of the Local Plan carried out by Harborough DC in May 2021 concluded with the decision to begin the preparation of a new Local Plan.
13. The County Council has since submitted responses to Harborough DC's Regulation 18 Issues and Options consultation in February 2024, and a Proposed Submission Draft (Regulation 19) Harborough Local Plan 2020-41 in March 2025. The County Council subsequently submitted supplementary addendums as part of the Regulation 19 consultation in April 2025 (on education matters) and in May 2025 (with regard to the Lutterworth East Strategic Development Area).
14. The Council's substantive response to the Proposed Submission Draft raised concerns regarding the soundness of the draft Local Plan in respect of transport considerations. Specifically, it considered that the Plan in its current form fails to meet the National Planning Policy Framework (NPPF) tests of soundness insofar of its:
  - Effectiveness, that is:
    - It fails to provide a coherent policy basis to ensure that transport interventions necessary to enable the Plan's site allocations delivery are deliverable over its time period, especially in respect of interventions necessary to deal with cumulative and cross-boundary transport matters; rather this seemingly has been deferred to the development management process;
    - The delivery of elements of the Plan's spatial strategy are dependent on strategic scale improvements to the Strategic Road Network, but the Local Transport Authority has no confidence that such will be brought forward and delivered within the Plan's time period; and
    - It lacks any coherent, (likely) lawful policy approach to seeking to secure developer contributions towards transport measures that will be required to address cumulative and/or cross-boundary transport impacts, particularly on the A6 corridor.
  - Consistency with national policy: It provides no coherent policy basis for enabling the coordinated delivery of transport interventions to achieve sustainable development in reality.

### **Duty to Cooperate**

15. The Duty to Cooperate (DtC) is a legal duty for local planning authorities, county councils and relevant bodies to 'engage constructively, actively and on an ongoing basis in any process' including the preparation of development plan

documents. To demonstrate effective and on-going joint working, the NPPF recommends that authorities 'prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these'.

16. As stated in Part A of this report, this SoCG has been jointly produced with Harborough DC to confirm the two parties have effectively and regularly cooperated to consider strategic and cross boundary matters associated with the production of the Harborough Local Plan. It is produced without prejudice to other matters of detail that the parties may wish to raise during the Local Plan examination.
17. The SoCG highlights the County Council's Regulation 19 representation which raises concerns regarding the soundness of the draft Local Plan in respect of transport considerations. The County Council's concerns, which were also highlighted in the March 2025 Cabinet report, have yet to be resolved although engagement has taken place and continues.
18. The SoCG also reflects relevant considerations for the drafting of the Harborough Local Plan including; unmet housing needs, planning for growth in the logistics sector, expansion of Magna Park and the impact of site allocations within the emerging Local Plan.

### **Next Steps**

19. The County Council and Harborough DC will continue to engage to discuss more detailed and technical matters relating to the content of the draft Harborough Local Plan and associated evidence base.
20. The outcomes of this further engagement will involve the production of a further detailed SoCG focusing principally on transport matters. This will be submitted to the Cabinet for approval, ahead of an anticipated submission by Harborough DC of the Local Plan to the Inspectorate, currently expected to be by the end of 2025.

### **Equality Implications**

21. There are no equality implications arising from the recommendations in this report.

### **Human Rights Implications**

22. There are no human rights implications arising from the recommendations in this report.

### **Environmental Implications**

23. The County Council will continue to work closely with Harborough DC and other partners to minimise the impact of the planned growth on the environmental assets of Leicester and Leicestershire.

24. The impact upon the environment is a key consideration in all planning decisions made within the context of an approved or emerging Local Plan, and the County Council will seek to ensure that opportunities are taken to enhance the environment through biodiversity net gain and sustainable forms of development.

### **Partnership Working and Associated Issues**

25. The County Council works closely with the Leicester and Leicestershire Strategic Planning Partnership, which includes Harborough DC, the other six district councils in Leicestershire, Leicester City Council and the Leicester and Leicestershire Business and Skills Partnership.

### **Background Papers**

Report to the Cabinet on 9 February 2024: Response to Harborough District Council's Local Plan – Issues and Options Consultation  
<https://bit.ly/41qSt3n>

Report to the Cabinet on 18 March 2025: Response to Proposed Submission Draft (Regulation 19) Harborough Local Plan 2020-2041  
<http://bit.ly/46pjJCe>

### **Appendix**

Harborough Local Plan Duty to Cooperate Statement of Common Ground with Leicestershire County Council (June 2025)

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