

Section 4 : Authority Monitoring Report – Duty to Cooperate -2018

4.1 Introduction

- 4.1.1 The Localism Act 2011 requires local planning authorities to engage constructively with neighbouring local planning authorities and prescribed bodies on an ongoing basis on strategic planning matters that impact on more than one local planning area. Local planning authorities are required to give details of what action they have taken in relation to duty co-operate in their Authority Monitoring reports.
- 4.1.2 The Core Strategy was adopted in October 2015 and the Council's role in Duty to Cooperate (DtC) was considered at the Examination of the Submission document. The Inspector concluded in her report that taking the plan as a whole, the Core Strategy complied with the legal DtC in the Act.
- 4.1.3 Following the adoption of the Core Strategy, the Council is preparing a number of development plan documents. The strategic housing growth targets are set out in the adopted Core Strategy and it is these that will be delivered through the HAP, the Rural Sites Allocation Plan and the Neighbourhood Plans. Therefore there is no requirement for adjoining local authorities to help to meet the County's housing requirements. Furthermore there was no requirement from neighbouring authorities for Herefordshire to contribute towards meeting their requirements. . **(Core Strategy Policy SS2)**

4.2 Details of DTC during the reporting period

- 4.2.1 The following paragraphs set out how Herefordshire Council has worked with neighbouring authorities and prescribed bodies during the reporting period of 2017/18.

Nutrient Management Plan (Policies SD3 and SD4)

- 4.2.2 Since the adoption of the Core strategy the Council has continued to fulfil DTC requirements in both the implementation of the Core Strategy, in relation to the Nutrient Management Plan, and in relation to the preparation of a number of Development Plans which, when adopted, will form part of the Local Plan.
- 4.2.3 The Council has worked with the following organisations in relation to the NMP:
- **Natural England**
 - **Dwr Cymru - Welsh Water**
 - **Powys County Council (neighbouring planning authority)**
- 4.2.4 A Nutrient Management Plan (NMP) is required in order to ensure that the River Wye Special Area of Conservation (SAC) achieves and maintains favourable condition with respect to phosphate levels. The NMP takes into account proposed development growth within Herefordshire and calculates the predicted impact that development will have on the phosphate levels within the SAC. The preparation of this plan has involved comprehensive and collaborative joint working with Natural

England, the Environment Agency and Welsh Water since 2010 when this issue was identified as a critical strategic issue that needed to be addressed. This constructive collaboration contributed to the publication of the Evidence Base and Options Appraisal in May 2014 and the Action Plan November 2014. The NMP Evidence base and options appraisal took into account the levels of growth proposed within the Core Strategy and considered these in combination with Powys County Council's growth proposals.

- 4.2.5 The NMP Board is the responsible body for ensuring the delivery of the Conservation Objectives for the River Wye Special Area of Conservation which is essential for the implementation of the Core Strategy policies. Membership of the board consists of senior representatives from Natural England, Environment Agency, Natural Resources Wales, Welsh Water, Herefordshire Council and Powys County Council and other relevant stakeholders. The board is supported by a Technical Group which is responsible for identifying and analysing options to deliver improvements to Water Quality and includes representatives from the same organisations as the board. Within this reporting period the Board meeting June and December. Information about the board, updates to the NMP action plan and monitoring dashboard and minutes of the meetings can be viewed here:

https://www.herefordshire.gov.uk/downloads/download/102/nutrient_management_plan

- 4.2.6 A joint Herefordshire/Powys seminar was held in September 2018 attended by members from both Herefordshire and Powys Council's and representatives from the organisations represented on the NMP Board. The purpose of the event was to update attendees of the development of the NMP and the role of various organisations in protecting the water quality of the River Wye.

Herefordshire Local Plan Development Plan Documents:

Traveller Sites DPD Core Strategy Policy H4

- 4.2.7 Herefordshire Council is preparing a Travellers Sites DPD which identifies the number of new pitches required over the plan period and identifies sites to help this meet this requirement. Pre-submission consultation took place during November and December 2017. The DPD was submitted to the Inspectorate in February 2018. All of the adjacent authorities and the prescribed bodies were consulted at these stages. Additionally on-going dialogue was had with neighbouring authorities throughout the reporting period. There was no identified requirement to for neighbouring authorities to accommodate pitches to meet need arising in Herefordshire or vice versa. On-going consultation continued with y Highways England on site specific issues affecting the strategic road network. The Council has worked with the following organisations:

- **All Neighbouring Authorities**
- **Environment Agency**
- **Highways England**

Minerals and Waste Local Plan (MWLP)

- 4.2.8 Minerals and waste policy is currently contained in the Unitary Development Plan, adopted in 2007. Much of the Unitary Development Plan has been replaced by the Core Strategy, with just the minerals and waste policies being saved. These policies

will be replaced by the MWLP to ensure that a modern policy framework is in place. During 2017 consultation took place on the Issues and Options stage of the MWLP's preparation and the first Draft of the plan began to be drawn up.

- 4.2.9 Both minerals and waste are materials that readily cross administrative boundaries, driven by market demand. The Draft MWLP will take account of these wider movements and the challenges, issues and opportunities presented by them.
- 4.2.10 Cross-boundary working is already in place though the joint municipal waste management approach with Worcestershire County Council and discussions with other neighbouring authorities which have taken place during the preparation of the Draft MWLP. This has included on-going liaison with neighbouring English and Welsh planning authorities, discussions at regional levels, and through the review of proposals within adjoining local plans and other development plan documents.
- 4.2.11 Over the monitoring period cross-boundary meetings resulted in an agreement that memorandums of understanding will be signed between Worcestershire/Herefordshire/Gloucestershire and between Powys/Herefordshire. These are being prepared. Confirmation has also been received from Shropshire that there are no matters of concern in relation to the management of minerals or waste between the authority areas and that regular regional level meetings are a productive way of keeping abreast of planning matters.
- 4.2.12 Herefordshire Council is an active member of the West Midlands Resource Technical Advisory Body (WM RTAB) in relation to waste matters and the West Midlands Regional Aggregate Working Party (WM AWP) in relation to minerals. These comprise authorities of the former West Midlands Regions and other interested parties, including representatives from the Environment Agency and industries. Meetings of each group are held twice a year and allow a sharing of knowledge and experience, provide a forum for discussions and provide objective and authoritative technical advice.
- 4.2.13 Herefordshire has sought to provide a positive minerals and waste planning framework through the Draft MWLP to bring forward deliverable development to meet its own needs and to provide for those identified through these meetings.

Hereford Area Plan

- 4.2.14 The Hereford Area Plan (HAP) will set out the detailed proposals to ensure delivery of the targets in the Core Strategy specifically for Hereford. A Hereford Area Plan Reference Group was set up in July 2016 to help to progress the preparation and delivery of the Hereford Area Plan (HAP) by providing advice, guidance and information upon the plan making process and the contents of the document. The Group membership includes a representative of The Herefordshire Nature Partnership as well as representatives of organisations with interest in the Plan's preparation are represented on the HAP reference group. The Council is working closely with Historic England to ensure that the policies and proposals to be included in the HAP are appropriate given the historic character of the city.

Rural Area Site Allocation DPD

- 4.2.15 The Rural Area Site Allocation DPD (RASA) will contain more detailed proposals to ensure the full delivery of the rural growth targets in the Core Strategy. This will include settlement boundaries and site allocations for those settlements highlighted

within fig 4.14 and 4.15 of the Core Strategy which are not included within a neighbourhood plan. An issues and options report was consulted on in June 2017 and a preferred site options consultation is planned for January / February 19. At these times all of the adjacent authorities, parish councils and the prescribed bodies were/will be consulted.

Other Issues:

Local Nature Partnership

4.2.16 The Local Nature Partnership is a member of the Hereford Area Plan Reference Group and this provides the opportunity for the Council to have regard to the views of the partnership from an early stage during the plan making process.

Local Enterprise Partnership

4.2.17 Herefordshire is part of a Local Enterprise Partnership (LEP) with Shropshire and Telford Councils and continues to work closely in relation to its plan making functions.