

# Section 4 Duty to Cooperate (DtC) 2019-2020

## Introduction

- 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 to co-operate in their Authority Monitoring reports.
- 1.2 The Core Strategy was adopted in October 2015 and the Council's role in Duty to Cooperate 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.
- 1.3 The Table below shows the DtC activity that has taken place between 1 April 2019 and 31 March 2020 but it does refer to activity into the next monitoring period where appropriate.

<b>Date</b>	<b>Issue / Plan</b>	<b>Organisation</b>	<b>Details</b>	<b>Outcomes / Proposed action</b>
October 2019	Travellers DPD	All neighbouring authorities Environment agency Highways England	The DPD was adopted by Herefordshire Council in October 2019. The Inspector's report was published in June 2019 which concluded that the Council had engaged constructively, actively and on an on-going basis in the preparation of the Plan and that the duty to cooperate enshrined in section 33A of the 2004 Act has therefore been met.	Work on a further GTAA started in May 2020 with stakeholder consultation which included neighbouring authorities. Further liaison with neighbouring authorities and other relevant organisations will be undertaken as part of the Core Strategy update, which will include consideration of the need for further pitches and consideration of cross boundary travelling patterns.

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June and August 2019	Minerals	West Midlands Aggregates Working Party	This meeting includes the minerals planning authorities of the former West Midlands Region and other interested parties, including representatives from the Environment Agency and industries. Meetings of each group are usually held twice a calendar year and allow a sharing of knowledge and experience, provide a forum for discussions and provide objective and authoritative technical advice, including comments on annual Local Aggregates Assessments.	<p>Feed into ongoing work on the minerals and waste local plan.</p> <p>This year MHCLG have carried out their 4-yearly national aggregate survey (although it has been 5 years since the last one), with the assistance of AWP's and minerals planning authorities. This was late commencing and has now caused a subsequent delay in the dissemination of results data to MPS. This will have knock-on effects on the timely production Local Aggregates Assessments.</p>
May and November 2019	Minerals and Waste Issues	Joint meeting with Gloucestershire and Worcestershire County Councils	To discuss duty to cooperate issues and finalising the Memorandum of Understanding (MoU), to be followed by a statement of common ground in due course.	<p>MoU signed June 2019 (see appendix to this section). Discussions included: responses to Regulation 18 consultation on Herefordshire MWLP and duty to cooperate consultation thresholds.</p> <p>The Statement of Common Ground will be drawn up by Herefordshire Council prior to the submission of the MWLP Spring/Summer 2020. There are no issues of disagreement between the three authorities.</p>
March 2019 to	Preparation of Publication	Historic England, the	Key issues raised in the representations to the Draft MWLP included those from	Issues raised resolved in meetings to enable work to progress on the

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April 2020 (and ongoing)	draft Minerals and Waste Local Plan	Environment Agency and Natural England.	Historic England and the Environment Agency. Consequently, meetings were held following the consultation period between Herefordshire Council, hendeca (consultants) and Historic England, the Environment Agency and Natural England to ensure that the Publication Draft MWLP addresses the matters raised and allay concerns.	Minerals and Waste Local Plan. Any outstanding comments to the MWLP are minor and can be raised at the Regulation 19 consultation, if necessary.
September 2019 and March 2020 (unable to attend March meeting)	Waste and Minerals issues	West Midlands Resource Technical Advisory Body (WM RTAB) These comprise authorities of the former West Midlands Regions and other interested parties, including representatives from the Environment Agency and industries.	Herefordshire Council is an active member of the 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, including comments on annual Local Aggregates Assessments	Ongoing. Feeds into evidence base for the Minerals and Waste Local Plan, provides opportunities to discuss new waste management technologies and comment on emerging waste plans from constituent authorities

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Ongoing	Economic Development	Local Enterprise Partnership	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.	Ongoing partnership.
Ongoing	Nutrient Management Plan	<ul style="list-style-type: none"> <li>• Natural England</li> <li>• Dwr Cymru - Welsh Water</li> <li>• Powys County Council (neighbouring planning authority)</li> </ul>	<p>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.</p> <p>The NM 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</p>	Ongoing partnership working to implement the nutrient management plan.

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			<p>representatives from the same organisations as the board. Within this reporting period the Board met in April and October 2019. Information about the board, updates to the NMP action plan and monitoring dashboard and minutes of the meetings can be viewed here: <a href="#">Herefordshire Council Nutrient Management Plan</a></p>	
September 2019	South Worcestershire Development Plan (SWDP)	South Worcestershire Councils	<p>Ongoing discussions with South Worcestershire Council officers to discuss Statement of common Ground in relation to the SWDP review. No cross boundary issues identified and a decision was taken to this effect in September 2019 to reflect this. <a href="#">Details of the decision taken.</a></p>	<p>No strategic cross boundary issues identified. HC will respond to future consultation stages and meet as required.</p>
January 2020	Shropshire Local Plan Review	Shropshire Council	<p>Duty to co-operate meeting held in January 2020 to discuss issues of mutual interest and to identify any cross boundary strategic issues. Shropshire Council identified an issue with meeting its housing requirements. A formal request was received by Herefordshire Council from Shropshire Council in</p>	<p>Herefordshire Council responded to Shropshire Council in April 2020 to state that Herefordshire is not in a position to assist in meeting Shropshire's unmet development needs.</p>

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			February 2020 asking whether there is available and deliverable land within the Herefordshire Council which would be able to functionally serve the identified geographical location(s) and strategic purposes identified by Shropshire Council.	Herefordshire and Shropshire Councils are working together to produce a Statement of Common Ground.