

# *Worcestershire Minerals and Waste Development Framework*

## *Authority Monitoring Report*

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### *Annex 2: Duty to co-operate statement*

April 2015 to December 2015

*Document Details:*

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## Cooperation with other public bodies: Duty to co-operate

In order to effectively plan for minerals and waste, Worcestershire County Council needs to co-operate with other planning authorities and public bodies at a regional and national level. The Localism Act 2011 formalised and extended this good practice as a requirement in the plan making process known as the 'duty to co-operate' through Section 33A of the Planning and Compulsory Purchase Act 2004.

This duty requires local planning authorities to co-operate with other planning authorities and prescribed bodies

The **West Midlands Aggregates Working Party (WM AWP)** which is supported by government and includes industry representatives. The group provides expert technical advice, provides scrutiny of and advice on the preparation of local aggregate assessments (LAA), and assesses the overall demand and supply of aggregates in the West Midlands.

The **West Midlands Mineral Planning Authorities Non-Aggregate Minerals Discussion Group** which meets informally to discuss cross-boundary issues for non-aggregate minerals.

## Formal consultation activities on mineral and waste matters

Public consultation was undertaken as part of the preparation of the Minerals Local Plan from 14<sup>th</sup> July 2015 to 25<sup>th</sup> September 2015. Late responses were accepted until 27<sup>th</sup> November 2015 to accommodate late responses from statutory consultees, landowners and the mineral industry.<sup>4</sup>

A consultation newsletter was produced which included:

- A second call for sites providing an opportunity to propose sites for working any type of mineral in Worcestershire

- A call for information on mineral resources and essential infrastructure that supports mineral working which should be safeguarded in the Plan

- An opportunity to comment on the evidence base so far

- Information about the 2013/2014 Annual Monitoring Report.

This was sent to all contacts registered on the Council's planning consultation database for minerals planning policy updates<sup>5</sup>, as well as being advertised by Public Notice and



Table

| Public body   | Consultation Date                      | Key Issue  | Action taken   |
|---|--|--|--|
| Worcestershire Local Nature Partnership<br>Worcestershire | 3 <sup>rd</sup> June 2015<br>(Meeting) | General discussion. No specific minerals and waste issues. | No actions relating to minerals and waste were identified. |



| Public body | Consultation Date | Key Issue | Action taken |
|-------------|-------------------|-----------|--------------|
|-------------|-------------------|-----------|--------------|



| Public body  | Consultation Date                        | Key Issue   | Action taken  |
|--|--|---|---|
| Minerals and Green Infrastructure Steering Group / Worcestershire Green Infrastructure Partnership | 27 <sup>th</sup> October 2015 (Workshop) | A workshop on the draft wording of the vision and objectives of the Minerals Local Plan was arranged but was cancelled as individual comments had been received from many of the group members on the draft Spatial Portrait, Key issues, Vision, Objectives (see 28 <sup>th</sup> July 2015) and there were no significant updates to report since the GI Partnership meeting in July. | steady and adequate supply of crushed rock from Worcestershire.<br>A full record of this meeting is provided as Appendix 15 to the document "Crushed Rock Supply in Worcestershire Summary of action undertaken under the duty to cooperate" (Autumn 2016), available at <a href="http://www.worcestershire.gov.uk/mineralsbackground">www.worcestershire.gov.uk/mineralsbackground</a> under the "Minerals Resources" background documents page. |

| Public body | Consultation Date | Key Issue   | Action taken |
|-------------|-------------------|---|--------------|
|             |                   | implemented,<br>Planning is not the issue in<br>a |              |

| Public body   | Consultation Date              | Key Issue   | Action taken  |
|---|--------------------------------|---|---|
| Meeting of West Midlands Mineral Planning Authorities Non-Aggregate Minerals Discussion Group | 30 <sup>th</sup> November 2015 | <p>received from other AWP's and resulting proposed changes in approach.</p> <p>There was also discussion of progress of each authority in producing Local Aggregate Assessments and progress on Local Plans.</p> <p>Discussion focused on:<br/>brick</p> | <p><i>under the duty to cooperate</i>" (September 2016). This can be viewed on the Mineral Resources background documents page at <a href="http://www.worcestershire.gov.uk/mineralsbackground">www.worcestershire.gov.uk/mineralsbackground</a>.</p> |

| Public body | Consultation Date | Key Issue  | Action taken   |
|-------------|-------------------|--|--|
|             |                   | <p>Flood risk and the scope of a Strategic Flood Risk Assessment required for the Minerals Local Plan</p> <p>Water Framework Directive catchment data and how this could influence the minerals local plan</p> <p>Groundwater resources, source protection zones and groundwater protection guidance</p> <p>Constraints on sites put forward for consideration as site allocations</p> | development of the Third Stage Consultation document itself. |

Table 2. Mineral and waste duty to co-operate relating to other public bodies' activities

| Public body                | Consultation Date | Key Issue   | Action taken   |
|----------------------------|-------------------|---|--|
| Tewkesbury Borough Council | April 2015        | Worcestershire County Council was consulted on the Draft Tewkesbury Borough Plan Site Options and Policies in April 2015. | Worcestershire County Council submitted an <del>on</del> Council |

| <b>Public body</b>  | <b>Consultation Date</b> | <b>Key Issue</b>   | <b>Action taken</b>   |
|---|--------------------------|--|---|
| Malvern Hills District Council, Wychavon District Council)          |                          | Councils during the hearing sessions relating to policies SWDP 32 (Minerals) and SWDP 33 (Waste).  | waste planning officer.   |
| Staffordshire County Council  | June 2015                | Worcestershire County Council was consulted on the publication of the new Minerals Local Plan for Staffordshire.   | Worcestershire County Council did not consider it necessary to make any representations on the soundness or legal compliance of the plan.   |
| Gloucester City, Cheltenham Borough and Tewkesbury Borough Councils | July 2015                | Worcestershire County Council was consulted on the Community Infrastructure Levy for Gloucester City, Cheltenham Borough and Tewkesbury Borough Preliminary Draft Charging Schedules | Worcestershire County Council supported the proposal in the Cheltenham Draft Schedule for "Provision of household waste recycling and waste management facilities" to be funded, or part funded, through CIL Infrastructure and for "On site collection facilities and waste reduction initiatives" to be funded through S106 Obligations; S278 of the Highways Act; other legislation or through Planning Condition and recommended that similar provisions are included in the Gloucester and Tewkesbury proposals. |
| Birmingham City Council   | August 2015              | Worcestershire County Council was consulted on the Proposed Main Modifications and Revised Sustainability Appraisal for the Birmingham Development Plan in August 2015.              | Worcestershire County Council submitted an officer-only response which welcomed ongoing engagement over the potential impact that any development associated with meeting Birmingham's "Objectively Assessed Need" could have upon infrastructure in Worcestershire, and welcomed the commitment proposed in new policy TP15A to continue to work with other authorities through the RAWP to enable cross-boundary issues to be taken into account.   |
| Shropshire Council  | August 2015              | Worcestershire County Council was consulted on Shropshire Council's Site Allocations and Management of Development (SAMDev) Plan Schedule of Further Main Modifications in August    | Worcestershire County Council did not consider it necessary to make any representations on this from a minerals and waste perspective.  |

| Public body                        | Consultation Date                          | Key Issue  | Action taken   |
|------------------------------------|--|--|--|
|                                    |  | 2015.  |  |
| Stratford-on-Avon District Council | September 2015                             | Worcestershire County Council was consulted on the Stratford-on-Avon District Submission Core Strategy Proposed Modifications.   | Worcestershire County Council did not consider it necessary to make any representations on this from a minerals and waste perspective. |
| Walsall Council                    | September 2015                             | Worcestershire County Council was consulted on the Preferred Options for Walsall's site allocations and town centre area action plan, and Community Infrastructure Levy preliminary draft charging schedule. | Worcestershire County Council did not consider it necessary to make any representations on this from a minerals and waste perspective. |
| Wyre Forest District Council       | September-October 20-3( )-4(a)13( )-4(m)-: |  |  |



| Public body                    | Consultation Date             | Key Issue  | Action taken  |
|--------------------------------|-------------------------------|--|---|
|                                |                               |  | and Policy MCS 5 regarding mineral safeguarding.  |
| Gloucestershire County Council | 19 <sup>th</sup> October 2015 | <p>Gloucestershire Minerals Safeguarding workshop:</p> <p>Gloucestershire County Council gave an introduction to minerals safeguarding and set out Gloucestershire's proposed policy approach.</p> <p>Meeting also attended by Gloucester City Council, Oxfordshire County Council, Herefordshire Council, Deputy Gaveler, Forest of Dean Small Miners Association, Stroud District Council, South Gloucestershire Council, Coal Authority, Warwickshire County Council, Cotswold District Council</p> | No specific issues were identified between Gloucestershire and Worcestershire County Councils arising from this workshop. |