

# Annex 2: Duty to Cooperate

The 'duty to co-operate' requires local planning authorities to co-operate with other planning authorities and relevant bodies on planning issues that cross administrative boundaries to ensure that strategic priorities are properly coordinated and clearly reflected in individual Local Plans.

Details of the activities described in the main report that were undertaken by the Council in line with the Duty to Co-operate on the preparation of the Minerals Local Plan during 2013-2014 are set out in this section.

Responses received to the Second Stage Consultation on the Minerals Local Plan were given unique reference numbers and all points were addressed in the *Second Stage Consultation Minerals Local Plan Consultation Response Document* which can be downloaded from the "Previous Consultation Stages" section of Emerging Minerals Local Plan webpages at [www.worcestershire.gov.uk/minerals](http://www.worcestershire.gov.uk/minerals).

## ***Engagement with other Minerals and Waste Planning Authorities***

### West Midlands Resource (formerly Regional) Technical Advisory Body for Waste (RTAB)

One of the main mechanisms through which the Council liaised with other Waste Planning Authorities in the West Midlands was through the West Midlands Resource Technical Advisory Body for Waste (RTAB). The RTAB is a body made up of waste planning authorities and interests from the waste industry and voluntary and community sector. Because of the particularly close economic links between them the WMRTAB includes a representative from the East Midlands RTAB and vice versa. The Chairmen of the RTABs also meet regularly to share ideas and where possible, co-ordinate their efforts. The WM RTAB led on the preparation of the waste policies in the West Midlands RSS Phase Two Revision. Despite the demise of the regional governance structure of 2013, the RTABs continue to work together.

protocol on the Council's behalf and it was forwarded to the RTAB secretary on 6<sup>th</sup> November 2013.

At the meeting of RTAB on 24<sup>th</sup> January 2014, a brief presentation was given on the Worcestershire Minerals Local Plan preparation and discussion was held. This resulted in informal confirmation and re-assertion of RTAB support for earlier regional policy stance that



The Second Stage of Consultation on the Minerals Local Plan and accompanying background documents, including the Local Aggregates Assessment, ran November 2013 to January 2014. Shropshire Council was consulted by direct mail but did not submit comments.

It was also consulted informally on the following background evidence documents:

Water transport . consulted in February 2014: no response received.

Herefordshire Council

An email discussion took place in April/May 2013 regarding the two counties' crushed-rock sales data which have been merged for many years, making it difficult to establish an average of past 10 years sales in the Local Aggregates Assessment. Discussion regarding the methodology led to agreement to maintain the RAWP "apportionment" to 2016, followed by average of past 10-years sales on the assumption that 2/3 of e four (f)-13( )-C1( )-2(a)-6(v)10(e)4am[(roe)-6(d)4 coy Hemefordshire



on June 2013

counties contributions to meet its LAA requirements, but if the market were to look to quarries in Herefordshire to meet some of this need, Herefordshire Council agreed that its landbanks and productive capacity are capable of supplying some of those needs without difficulty and it would not object to this.

Data availability and sharing:

Agreed that WMRAWP's AMR is the best source of data.

For crushed rock, it is not possible to identify the amounts of crushed rock produced in each county. Agreed that maintaining the principle in the Hereford and Worcester Minerals Local Plan that 2/3 of the crushed rock production for the combined county came from old Herefordshire and 1/3 from old Worcestershire (this reflected Officer knowledge of past production trends) and was a realistic and sensible way to aim for future supply.

Agreed to maintain the principle that 2/3 crushed rock production from Herefordshire and 1/3 from Worcestershire as a realistic way to aim for future supply. In the long term, 10 years supply average will become meaningful and usable.

Agreed that there were no conflicts between the 2 counties' approaches to the LAA.

Agreed that future meetings would be useful to ensure compatibility between approaches and the use of data.

**Date:** 17.06.2013

County Hall,  
Worcester

**Present:**

Worcestershire  
County Council: Nick  
Dean, Marianne  
Joynes  
Gloucestershire  
County Council: Kevin  
Phillips, Lorraine  
Brooks  
Gloucestershire  
County Council and  
South West RAWP:  
Philip Hale

Herefordshire Council:  
Debby Klein

maintain landbanks at the end of the plan period. Gloucestershire take a similar view but discussion suggested that some other minerals plans were not providing a landbank beyond the plan period. PH noted that this had been discussed at AWP secretaries' meeting.

Overall approach is a focus on restoration, tying in with Green Infrastructure priorities, and viewing quarrying as a temporary activity resulting in long-term landscape change. Gloucestershire noted that there would still be a requirement to establish need for minerals first, WCC agreed. Herefordshire supported having a Green Infrastructure policy.

Intention to identify areas of search rather than specific sites in the plan. Currently analysing mineral resource data with the aim of identifying large areas which could be useful for green infrastructure. Possible that companies may put sites forward at the next consultation.

Herefordshire Council:

Building stone resources are worked (Callow Hill Quarry for heritage repairs of sites including Goodrich castle, delves in the Black Mountains provide roof tiles and flagstones).

Clay resources have historically been worked but not commercially viable at present.

Large landbank for crushed rock and 2 sites. 1 main sand and gravel site.

Discussed the idea of a joint MPA approach to heritage minerals, e.g. allowing intermittent working. Discussion of how this could be adequ2io

Gloucestershire County Council:

Criteria-based approach to building stone.

Most building stone resources are in the Cotswolds and Forest of Dean. Problem identifying important heritage resources from the vast potential resources in Gloucestershire.

GI policies for restoration not necessarily

reserves. The landbank for sand and gravel is estimated to be around 4 years. There is only one Crushed Rock site within Warwickshire, however the landbank for crushed rock is thought to be over 20 years.

A sub-regional green infrastructure strategy has been out for consultation. Some mapping has been undertaken to identify opportunity areas and potential linkages and there will be an annex on biodiversity offsetting.

Potential for birdstrike (introduction of wetland increasing bird number near airfields) is a cross-boundary issue. Worcestershire does not have any commercial or military airfields, but Herefordshire has SAS at Hereford, Warwickshire has Birmingham, Coventry Wellesbourne and Long Marston airfields, and Gloucestershire has RAF Fairford.

Status of Local Aggregate Assessment preparation and principles:

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Midlands, but the options for future provision are potentially constrained and an additional contribution from Gloucestershire over and above the current supply pattern therefore cannot be relied upon in the long-term. Could sand and gravel and crushed rock substitutions be considered?

Gloucestershire's draft LAA has been approved following extensive consultation with the minerals planning authorities, AWPAs and adjacent MPAs. A revised LAA will be presented as part of the strategic planning evidence package later in the year. This will be the overarching LAA and an accompanying, more detailed baseline report. There is some difficulty due to confidentiality restrictions in providing information to many authorities.

Gloucestershire's LAA figure for crushed rock is based on the sub-regional apportionment and likely to increase further due to economy and Drybrook quarry being closed. Sand and gravel will also be



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particularly for crushed rock. Therefore the County is not currently in a position to be able to assess any oversupply to other counties until this work has been carried out through our own LAA. If any supply over and above our own apportionment was requested by another Minerals Planning Authority, the onus would be on that MPA to provide robust evidence to justify that it could not supply its own needs first.

The Second Stage of Consultation on the Minerals Local Plan and accompanying background documents, including the Local Aggregates Assessment, ran November 2013 to January 2014. Warwickshire Council was consulted by direct mail but did not submit comments.

It was also consulted informally on the following background evidence documents:

Water transport . consulted in February 2014: no response received

#### Gloucestershire County Council

An email exchange took place in February 2013 confirming the mineral sites in Worcestershire to appear in maps in Gloucestershire's Minerals Local Plan. Worcestershire confirmed the sites shown were correct and that there were no longer any operational quarries producing crushed rock or building stone in Worcestershire.

#### Formal Duty to Co-operate Meeting on Minerals and Waste issues

<b>Meeting details</b>	<b>Key issues and outcomes</b>
<b>Date:</b> 17.06.2013 County Hall, Worcester <b>Present:</b> Worcestershire	

on neighbouring authorities. Gloucestershire highlighted that potential development near to the county boundary could have cross-boundary

An industry workshop aimed specifically at operators to get an industry perspective and to focus on technical issues and deliverability.

A green infrastructure workshop aimed at organisations involved in delivering and managing green infrastructure in and around the county to focus on the implementation and deliverability of our restoration aspirations.

These workshops did not take place as no expressions of interest were received for either event.

## ***Engagement with other planning authorities in Worcestershire***

Relevant issues were discussed with the City, Borough and District Councils in Worcestershire through meetings of the Herefordshire and Worcestershire Planning Officers Group (WPOG), and the development management Officers Group (known as DC Forum).

The DC Forum met on 13<sup>th</sup> May 2013, 9<sup>th</sup> September 2013, 2<sup>nd</sup> December 2013 and 3<sup>rd</sup> March 2014. The WPOG meeting of Policy Officers on 8<sup>th</sup> March 2013; discussions focussed on restoration considerations and the wider implications of and links between mineral and housing development. Subsequently, WPOG has met less frequently due to other groups being formed as a result of working with partners and LEPs.

Individual meetings have been held with representatives of each of the planning authorities in Worcestershire.

### Bromsgrove District Council

The Second Stage of Consultation on the Minerals Local Plan and accompanying background documents, including the Local Aggregates Assessment, ran November 2013 to January 2014. Bromsgrove District Council was consulted by direct mail but did not submit comments. However, officers did attend the open day which was held in Bromsgrove District Council's offices on 4<sup>th</sup> December 2013. They subsequently asked for clarification of whether there were any minerals issues for any of Bromsgrove's proposed development sites. WCC officers compared each site with known mineral resources and provided a commentary on each of the proposed development sites (10<sup>th</sup> December 2013). This identified one site which would require further assessment and advised on what the assessment should address.

Bromsgrove District Council was also consulted informally on the following background evidence documents:

Water transport . consulted in February 2014: no response received

### Redditch Borough Council

The Second Stage of Consultation on the Minerals Local Plan and accompanying background documents, including the Local Aggregates Assessment, ran November 2013 to January 2014. Redditch Borough Council was consulted by direct mail but did not submit comments.

It was also consulted informally on the following background evidence documents:

Water transport . consulted in February 2014: Response received noting that there are no commercial or cruising waterways within Redditch Borough's boundary and that Officers had no information on potential future funding schemes.

Wyre Forest District Council

The Second Stage of Consultation on the Minerals Local Plan and accompanying background documents, including the Local Aggregates Assessment, ran November 2013 to January 2014. Wyre Forest District Council was consulted by direct mail, and their response (reference



Water transport . consulted in February 2014: no response received

"SPAIG" consultations

Through the Worcestershire "Strategic Planning and Infrastructure Group" (SPAIG) the council comments on applications made to the City, Borough and District councils for planning permission for strategically significant development in and adjoining the county and on emerging Plans. Alongside other matters including flooding, green infrastructure and highways, comments were made on the mineral and waste implications of 13 planning applications, 1 planning appeal, 2 SPDs and 6 Neighbourhood Plans during the monitoring year. These were:



Water transport . consulted in February 2014: no response received

Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP)  
The Second Stage of Consultation on the Minerals Local Plan







Natural England

In addition to being a member of the Green Infrastructure Steering Group, the Environment Agency was consulted by direct mail on the Second Stage of Consultation on the Minerals Local Plan and accompanying background documents, including the Local Aggregates Assessment, which ran November 2013 to January 2014.

In their response (reference B040-717), Natural England supported the section on the Environment in the Portrait of Worcestershire, particularly the inclusion of green infrastructure, and welcomed the environmental aspects of the draft vision and draft Objective 6. Natural England particularly supported the inclusion of policy criteria on the natural and historic environment, but suggested that Green Infrastructure and soils could also be included. They fully supported the GI-led

*The Office of Rail Regulation*



the Inland Waterways Association's subgroup "Inland Waterways Freight Group" and its published statement of intent, the Local Transport Plan 3 and willingness to establish working groups for specific projects or issues if required, links to additional data and documents.

Marine Management Organisations

Following the receipt of the "Get Involved in Planning" questionnaire to update the Council's consultation database, the Marine Management Organisation work reaches up to the mean high water springs mark along the coast and within