

**Wyre Forest District
Local Plan 2016-2036**

**Duty to Co-operate Statement
incorporating
Statement of Common Ground**

March 2020

Wyre Forest District Council

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Duty to Co-operate Statement

1 Introduction

1.1 Background and legal requirements

This Duty to Co-operate Statement has been prepared to accompany the submission version of the Wyre Forest District Local Plan (2016 – 2036).

The ‘Duty to Co-operate’ is a statutory duty for local planning authorities. Section 110 of the Localism Act inserted Section 33A into the Planning and Compulsory Purchase Act 2004 and states that all local planning authorities must co-operate with other local planning authorities, county councils and public bodies to engage constructively, actively and on an on-going basis to ensure the effectiveness of Local Plans in respect of strategic cross-boundary matters. The purpose of the legislation is to ensure that these matters of co-operation are taken into account in the decision-making process. The Duty to Co-operate does not require a duty to agree yet nevertheless it is expected that all necessary co-operation of strategic cross-boundary matters will have been achieved prior to submission of Local Plans.

Paragraph 24 of the National Planning Policy Framework (NPPF) (2019) states that *“Local planning authorities and county councils (in two-tier areas) are under a duty to co-operate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.”* Paragraph 25 of the NPPF goes on to state *“Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. They should also engage with their local communities and relevant bodies including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected Mayors and combined authorities (in cases where Mayors or combined authorities do not have plan-making powers).”*

Paragraph 27 of the NPPF (2019) has also introduced a requirement to produce Statements of Common Ground throughout the plan-making process to document where effective co-operation is (and is not) taking place as plans are drawn up and taken through the statutory process to adoption. Paragraph 27 of the NPPF states: *“In order to demonstrate effective and on-going joint working, strategic policy-making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency.”*

The Duty to Co-operate applies not just to local authorities but to other public bodies as prescribed in the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended. The regulation identifies the following prescribed bodies with whom all planning authorities should co-operate with:

- The Environment Agency
- Historic England

- Natural England
- The Mayor of London (*where applicable*)
- The Civil Aviation Authority
- Homes England
- Each established Primary Care Trust
- The office of Rail Regulation
- Transport for London (*where applicable*)
- Each integrated transport authority
- Each highway authority
- The Marine Management Organisation (*where applicable*)

Local Enterprise Partnerships and Local Nature Partnerships are not subject to the requirements of the duty, but local planning authorities and county councils in England, and prescribed bodies must cooperate with them. Local planning authorities must have regard to their activities when they are preparing their local plans, so long as those activities are relevant to plan-making.

Co-operation must take place through Local Plan preparation, from the initial scoping and evidence gathering stages. This co-operation should continue until plans are submitted for examination and beyond into delivery and review. Compliance with the Duty cannot be corrected after submission for examination. Failure to demonstrate compliance can lead to the Plan needing to be withdrawn.

2 Wyre Forest District Context

2.1 National and regional planning context

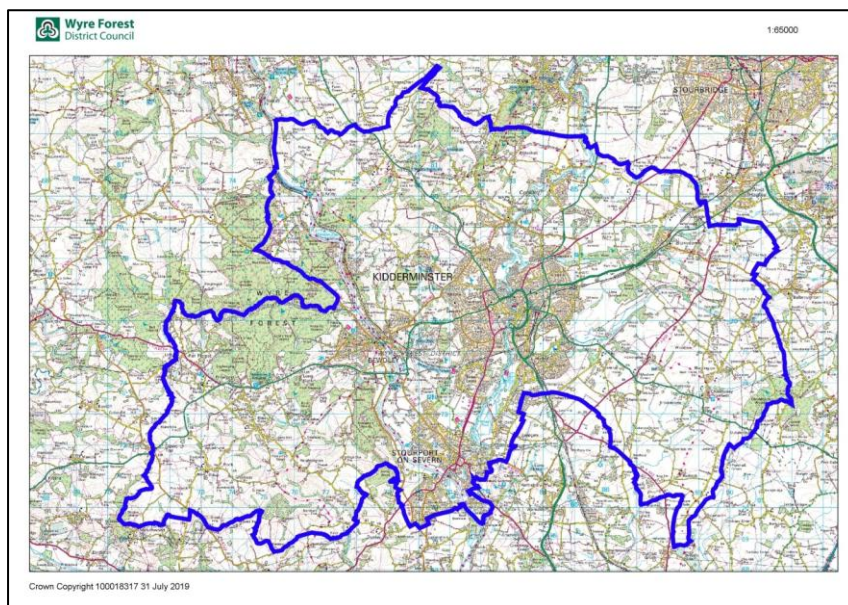
During the preparation of the Wyre Forest District Local Plan Review (2016-2036), the Ministry of Housing, Communities and Local Government published a revised National Planning Policy Framework (July 2018), with minor updates in early 2019 (February 2019). The draft Local Plan (2016-2036) has been produced in accordance to the 2019 revised version of the NPPF.

Wyre Forest District is located within Worcestershire County and shares a boundary with the following neighbouring local authorities:

- Shropshire Council
- South Staffordshire Council
- Malvern Hills District Council
- Wychavon District Council
- Bromsgrove District Council

Figure 1 shows the district boundary of Wyre Forest District.

Figure 1: Map of Wyre Forest District



The neighbouring planning authorities are also currently reviewing their Local Plans. Table 1 summaries the status of Local Plan reviews being undertaken by neighbouring planning authorities:

Table 1: Neighbouring planning authorities' Local Plan revision status

| Authority | Local Plan Status |
|--|---|
| South Worcestershire Local Authorities (Malvern Hills, Wychavon, Worcester City) | The South Worcestershire Local Plan was adopted in February 2016. The three south Worcestershire Councils are now undertaking a Local Plan Review and consulted on their Preferred Options in November/December 2019. The Councils intend to submit the draft plan to the Secretary of State in February 2021. |
| Bromsgrove District Council | The Bromsgrove District Plan was adopted in January 2017. The Council is now working on a District Plan Review and the Issues & Options was published in September/November 2018. At time of writing this DtC Statement, Bromsgrove District Council had not published its Local Development Scheme timetable for its District Plan Review. |
| Shropshire Councils | The Core Strategy was adopted in 2011. A Site Allocations & Management of Development Adopted Plan was adopted in 2015. The Council is currently undertaking a partial Local Plan Review and intends to submit the draft plan to the Secretary of State in June 2020. |
| South Staffordshire Council | The Core Strategy was adopted in 2012 and a Site Allocations Document in 2018. The Council is currently undertaking a Local Plan Review and is preparing the Preferred Options Plan. |

In addition to the above, the nearby Black Country Authorities are currently undertaking a Local Plan review and have identified a housing and employment shortfall. Birmingham City Council adopted its Local Plan in January 2017; a housing shortfall was identified. Although Wyre Forest District does not form part of the same housing market area as the Black Country Authorities or Birmingham City Council, joint duty to co-operate meetings have been held to discuss the shortfalls that these LA's face and a Statement of Common Ground has been prepared for each.

2.2 Neighbourhood Plans in Wyre Forest District

Wyre Forest District Council has formally designated a total of five Neighbourhood Areas. The Parish Councils in the designated Neighbourhood Areas have the powers to prepare a Neighbourhood Plan which would become part of the Wyre Forest District Development Plan if successful at referendum stage.

Table 2 sets out the progress made to date by communities in preparing Neighbourhood Plans within the District. The Council's webpages at <http://www.wyreforestdc.gov.uk/planning-and-buildings/planning-policy/neighbourhood-planning.aspx> provides further information.

Table 2 – Neighbourhood Areas and Neighbourhood Plans in Wyre Forest District

| | |
|---|---|
| Communities with a Designated Neighbourhood Area | <ul style="list-style-type: none"> • Chaddesley Corbett Parish • Churchill and Blakedown Parish • Bewdley Parish • Upper Arley Parish • Cookley and Caunsall |
| Communities with a published draft Neighbourhood Plan | <ul style="list-style-type: none"> • Bewdley Parish (Pre-Submission draft version published April 2018) |
| Communities with a draft Neighbourhood Plan submitted for examination | None |
| Communities with a draft Neighbourhood Plan ready for, or at, Referendum | None |
| Communities with a 'made' Neighbourhood Plan | <ul style="list-style-type: none"> • Chaddesley Corbett Parish • Churchill and Blakedown Parish |

3 How Wyre Forest District Council has complied with the Duty to Co-operate

Wyre Forest District Council has consulted with the Duty to Co-operate partners and public bodies at every stage of plan making. The Local Plan Review consultation periods were as follows:-

- Issues and Options Consultation – September / October 2015
- Preferred Options Consultation – June / August 2017
- Pre-Submission Consultation – November / December 2018
- Pre-Submission Consultation (re-opening) – September / October 2019

Discussions with the relevant local planning authorities and public bodies have taken place throughout the preparation of the Local Plan and in particular when issues have been raised at the various consultation stages. These discussions have included formal and informal meetings. The

Statements of Common Ground prepared include a record of the duty to co-operate meetings undertaken.

4 Statement of Common Ground

Alongside the duty to co-operate, the 2018 revision of the NPPF introduced a requirement to produce Statements of Common Ground throughout the plan-making process. These are a written record of the progress made by planning authorities on strategic cross-boundary issues as they prepare local plans. They document where effective co-operation is (and is not) taking place as plans are drawn up and taken through the statutory process to adoption.

Wyre Forest District Council has produced Statements of Common Ground (SofCG) with the following in accordance with paragraph 27 of the NPPF (2019):-

- Worcestershire County Council
- Joint SofCG with Bromsgrove District Council and Worcestershire County Council
- South Worcestershire Councils (Malvern Hills, Wychavon, Worcester City)
- Shropshire Council
- South Staffordshire Council
- Black Country Authorities
- Birmingham City Council
- Natural England
- Historic England
- Environment Agency
- Highways England
- Sport England
- Homes England (Lea Castle strategic site allocation)
- Taylor Wimpey (Kidderminster Eastern Corridor strategic site allocation)

These SofCG are included in the appendix chapters of this report.

5 Conclusion

During the preparation of the Wyre Forest District Local Plan (2016 – 2036), the council has engaged very actively with its stakeholders and partners and discussed with them all strategic matters. The draft Local Plan was published under regulation 19 (Town and Country Planning Act (Local Planning) (England) Regulations 2012) reflects the views and comments received during the engagement and co-operation process.

This Duty to Co-operate Statement, together with the Statements of Common Ground and the Statement of Consultation show how Wyre Forest District Council has complied with its duty to co-operate and demonstrates how the Local Plan (2016 – 2036) has been based on effective joint working across local authority boundaries.

6 Appendices

6.1 Appendix A:

- Statement of Common Ground with Worcestershire County Council

6.2 Appendix B:

- Joint Statement of Common Ground with Worcestershire County Council and Bromsgrove District Council

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