

# Chelmsford City Council Duty to Co-operate Strategy Feedback Report

## 1 Introduction

- 1.1 The draft Duty to Co-operate Strategy outlines our commitment to implementing the Duty to Co-operate for our Local Plan review. It explains in broad terms who we will seek to co-operate with, when we will co-operate and what co-operation mechanisms we will put in place. It provides a valuable guide to co-operation activity, and forms part of the evidence base supporting the Local Plan review.

## 2 Preparation of the Draft Strategy

- 2.1 We adopted our current Duty to Co-operate Strategy in March 2015, ahead of developing our Local Plan which was adopted in May 2020. We are embarking on a review of the Local Plan in 2022, and have reviewed the Duty to Co-operate Strategy ahead of that review.
- 2.2 The Draft Strategy was updated using the 2015 document as a baseline, through a review of legislation and changes to reflect the decision to review the Local Plan.
- 2.3 Consultation was carried out for 6 weeks from 9 November to 21 December 2021. This was a focused consultation with the duty bodies as prescribed by the Town and Country Planning (Local Planning) (England) Regulations 2012. The consultation was published on the Council's Planning Consultation Portal for the invited consultees. The prescribed bodies are as follows:

- the Environment Agency
- the Historic Buildings and Monuments Commission for England (known as Historic England)
- Natural England
- the Mayor of London
- the Civil Aviation Authority
- the Homes and Communities Agency
- each Primary Care Trust established under section 18 of the National Health Service Act 2006(2) or continued in existence by virtue of that section
- the Office of Rail Regulation
- Transport for London
- each Integrated Transport Authority
- each highway authority within the meaning of section 1 of the Highways Act 1980 (including the Secretary of State, where the Secretary of State is the highways authority); and
- the Marine Management Organisation.

Local Enterprise Partnerships and Local Nature Partnerships are not subject to the duty, but as Local Planning Authorities must have regard to their activities where they relate to plan making, the LEP was also consulted, along with bodies with an interest in the forthcoming Local Nature Partnership.

### **3 Comments received**

3.1 Comments were received from the following consultees:

Essex County Council  
Braintree District Council  
Marine Management Organisation  
Maldon District Council  
Natural England  
Transport for London

#### 4 Summary of main issues raised and how they have been taken into account

This summary shows the main comments received, the Council's comments, and where changes are proposed. Changes are shown as underlined where additional text is proposed.

Comment ID	Name	Page / Para	Summary of comments	Council comments / proposed change
DtC2021-5	Essex County Council	3.3	Welcomes the commitment to discuss LP review with prescribed bodies including ECC. The impacts of growth will need to be assessed against ECC's many roles. <u>'Everyone's Essex'</u> , ECC's new plan for levelling up Essex, sets out 20 commitments for its strategic aims. ECC will also work with CCC on its Infrastructure Delivery Plan.	Support welcomed. Officers will review the 'Everyone's Essex' plan in relation to its influence on DtC issues.
	Essex County Council	5.1	Highlights initial issues to provide more background and detail to the high level strategic issues identified, including: meeting housing needs; jobs and economy – particularly economic recovery and job growth priorities; retail – particularly rebuilding and future-proofing high street businesses; sustainable transport – particularly considering strategic growth and transport corridors across Essex; climate change action – and encouraging early involvement in flood risk and SuDs discussions; education and health matters.	Noted and retained as a basis for early DtC discussions.
	Essex County Council	5.1	An additional strategic issue is suggested for this section: London Stansted future airspace – departure and arrival route options are being considered as part of the CAA airspace modernisation strategy.	Agreed – proposals should give consideration to development proposed in Local Plans, and vice-versa.  Add a further bullet point to paragraph 5.1:

				<ul style="list-style-type: none"> <li>• <b><u>London Stansted future airspace redesign</u></b></li> </ul>
	Essex County Council	6.3	Draws CCC's attention to an emerging Local Nature Partnership which will be subject to co-operation on strategic issues once formed.	Noted. CCC would welcome more information and involvement once the new body is established.
	Essex County Council	6.5	ECC would support specific liaison groups facilitated by CCC for County matters, similar to arrangements for the previous DtC strategy. Member level involvement also welcomed.	Approach welcomed, and will inform early DtC discussions.
	Essex County Council	General	Helpful updates provided on other Essex authorities' progress on Local Plans.	Noted.
DtC21-6	Maldon District Council	5.1	<p>The proposed approach to the Duty to Co-operate is compatible with the Maldon District Duty to Co-operate Strategy 2021. Chelmsford City Council should add or amend one strategic issue on the list that specifically covers education provision.</p> <p>This is a specific issue between the two authorities given the level of provision in the Maldon district and reliance on schools in other districts.</p> <p>Strategically this could be achieved by ensuring that under the umbrella term of community infrastructure that "education", accompanies health and community facilities. Alternatively, this strategic matter could be worded specifically as "Primary, secondary and further educational facilities based within the administrative boundary on one authority, but which serve/ potentially serve populations of two or more authorities".</p>	<p>Welcome the opportunity to engage on this matter, with ECC's involvement as the education authority.</p> <p>Alternative wording provides too much detail for the Strategy, but this will inform early DtC discussions. Therefore the change below is proposed.</p> <p>Amend bullet point 7 as follows:</p> <ul style="list-style-type: none"> <li>• Community infrastructure including <b><u>education</u></b>, health and community facilities</li> </ul>

DtC21-7	Braintree District Council	General	No specific comments but look forward to engaging positively on cross boundary strategic matters in the future.	Noted.
DtC21-8	Marine Management Organisation	5.1	Highlights helpful resources for Local Plan making. Propose that Chelmsford Council respond to the MMO marine planning yearly monitoring surveys on the local Marine Plans to help anchor it internally and offer an opportunity for feedback regarding the marine plans. Wish to ensure that Seascape and its link to MCA as well as MPAs/MCZs are given adequate consideration under the 'Natural and historic environment including increased biodiversity and green/blue/wild spaces'.	Resources noted for future use.  Noted, and already actioned.  Noted for consideration under DtC activity.
DtC-9	Natural England	5.1	It would be helpful to widen the scope of the issue relating to biodiversity and green infrastructure to include reference to improving the connectivity of ecological networks. This would sit well with Local Nature Recovery Strategies to be developed at a county-wide scale – therefore a strategic issue.	Noted for future action.  Amend bullet point 6 to read: Natural and historic environment including increased biodiversity and green/blue/wild spaces <b><u>including improving the connectivity of ecological networks</u></b>
DtC-10	Transport for London	Appendix 1	No specific comments on the revised draft although, we welcome the inclusion of TfL in the list of Duty to Co-operate bodies in appendix 1.	Support welcomed.