

Walsall Site Allocation Document (SAD) and Walsall Town Centre Area Action Plan (AAP)

Duty to Cooperate Overview

This document provides an overview of the discussions between Walsall Council and our Duty to Cooperate bodies throughout the production of Walsall Site Allocation Document (SAD) and Walsall Town Centre Area Action Plan (AAP). It provides a summary of the details included in formal representations from these bodies during the formal consultation periods and the more informal discussions held outside of the consultation periods. The document covers all stages of consultation from Issues & Options frontloading right up to the submission of the plans for examination.

In some places the table on the following pages also covers the Community Infrastructure Levy (CIL) as consultation was undertaken on this at the same time as the SAD and AAP. However following the Housing White Paper published in February 2017 the Council's cabinet on 15th March 2017 agreed to suspend work on CIL.

The main part of this document is a table that presents the discussions in respect of each Duty to Cooperate body in turn. As introduced by the Localism Act 2011, the Duty requires local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation. Besides local authorities, other bodies that are subject to the Duty to Cooperate, or that the Council has to have regard to under the Duty, are set out in The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Some of these bodies (such as the Mayor of London, Transport for London and the Marine Management Organisation) are not relevant to Walsall, whilst (especially perhaps in respect of waste management and / or minerals issues) there can be strategic issues in relation to local authorities that are some distance from Walsall. The bodies with whom Walsall Council has sought to cooperate and/ or who have sought to cooperate with the Council in an ongoing basis are as follows.

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Besides discussing with or meeting the Duty to Cooperate bodies on an individual basis there are also several sets of meetings that bring together representatives on a geographical and / or topic basis.

Association of Black Country Authorities (ABCA)	Leaders and / or Chief Executives of the boroughs of Dudley, Sandwell and Walsall and the City of Wolverhampton – to discuss strategic or common issues. Can approve certain ‘delegated’ decisions, but does not replace individual councils’ committee where formal approval is required. Informs the Black Country Joint Committee, which has certain powers in respect of grant-funding and the relationship with the Combined Authority, but not in respect of planning policy.
Black Country Duty to Cooperate Group	Formed to bring planning officers from the Black Country authorities together with representatives of the Duty to Cooperate bodies. Meets on an occasional basis as and when necessary.
Black Country ‘Planning Leads’	Planning Policy Managers (or equivalents) from the 4 BC authorities. Regular liaison and frequent meetings to coordinate joint working, especially now on the BC Core Strategy Review. This joint working includes frequent meetings between officers working on particular topics.
Cannock Chase Special Area of Conservation (SAC) Partnership	Local authorities affected by the implications of the Habitats Regulations in relation to Cannock Chase SAC. Come together to share and consider evidence and mitigation strategies. Cannock Chase, Lichfield, South Staffordshire district councils, Stafford Borough Council and Wolverhampton City Council. advised by Natural England. Walsall has not joined the partnership but is prepared to enter an agreement.

Greater Birmingham / Solihull LEP (GBSLEP) Spatial Planning Group, now Birmingham/ Black Country Housing Market Area (HMA) Officer Working Group	Work on a GBSLEP spatial plan (with a Walsall officer as liaison for the Black Country) led to the commissioning on a Strategic Housing needs study, which is leading to further joint work on how to accommodate housing growth across the combined HMA.
West Midlands Aggregates Working Party	Brings together officers from minerals planning authorities with representatives from the minerals and construction industries.
West Midlands Metropolitan Authorities Duty to Cooperate Group	Brings together officer representatives of the Black Country authorities with officers from Birmingham, Solihull, Coventry and Transport for West Midlands (TfWM).
West Midlands Resource Technical Advisory Body	Brings together officers from waste planning authorities with representatives from the waste management industry.

Generally these meetings are mentioned when the series of such meetings first began. Then, subsequent meetings would have provided the opportunity for discussions throughout the process as necessary.

The Duty to Cooperate contacts with the relevant bodies are listed on the following pages.

Black Country Local Enterprise Partnership (BCLEP)**UR 1291**

I&O Frontloading	No formal involvement
I&O Consultation (22nd April 2013 and 3rd June 2013)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
PO Frontloading	The LEP has been on the list of invitees to attend the Black Country Duty to Cooperate Group and it has been represented at several meetings.
PO Consultation (7 th September – 2 nd November 2015)	Officers attended LEP Board meeting on the 19 th October 2015 to introduce the plans and answer any questions. Formal representation on the SAD and AAP (and CIL) received 2 nd November 2015. <ul style="list-style-type: none"> • <i>“The Board welcomed the documents as being in line with, and building upon, the agreed Black Country Core Strategy and supporting the aims and objectives of the Strategic Economic Plan.</i> • <i>“The LEP agrees that the preferred options show that development needs can be accommodated and delivered without amending the Green Belt and that the SAD will be able to allocate sufficient sites to deliver at least the Core Strategy housing requirements for the Borough to 2026 and to meet Core Strategy targets for industrial land.</i> • <i>“The Partnership supports the objective of the SAD and Employment Land Review (ELR) to re-engineer the industrial land supply to provide a good portfolio of opportunities across the Borough, but particularly in the M6, Black Country Route and Black Country Spine Road corridor.</i> • <i>“The scope for lesser quality industrial land to be considered for release, mostly to housing is welcomed. This would be a good way of continuing to provide a supply of housing from brownfield</i>

	<p><i>sources. It will be important however, that appropriate safeguards are observed, especially to ensure that remaining adjacent industry is not compromised.</i></p> <ul style="list-style-type: none"> • <i>“The LEP notes that the Darlaston Strategic Development Area Access Project is now underway, and that the M6 Junction 10 will be improved. These improvements will play their part in making the Enterprise Zone sites in Darlaston more competitive. It is important that the LEP and local authorities continue to press and work for further improvements to transport connectivity across the Black Country for businesses and residents, including high quality rail services to connect Walsall with Wolverhampton, Birmingham and other main centres as soon as possible</i> • <i>“The LEP welcomes the continued support for investment in Walsall town centre, for shopping (especially comparison shopping), offices, leisure and other town centre uses. The LEP accepts the need to reflect economic and other trends and to ensure deliverability. The proposals for rather smaller amounts of shopping and office floorspace than is set out in the Core Strategy are therefore supported. The Plan recognises the need to act positively to promote and safeguard investment if the town centre is to avoid decline. The allocation of a Social Enterprise Zone in the St. Mathews Quarter is welcomed and the LEP will look to support this through joint working with social enterprises and the Council.</i> • <i>“It is noted that the CIL Preliminary Draft Charging schedule reflects work that shows it will be viable to levy a charge on large foodstore, retail warehouse developments (in any location), and on housing developments (in most, but not necessarily all, parts of the Borough) and that, despite charges being relatively low compared to other authorities, receipts will exceed the future income from Planning Obligations due to their scaled back nature and will be able to be used more flexibly towards the Borough’s infrastructure.”</i>
<p>Publication Frontloading</p>	<p>Officers sent email 14th December 2015 which included a Duty to Cooperate pro-forma that summarised the comments made on the Preferred Options consultation requesting that they let us know of any inaccuracies or omissions. This pro-forma also asked if BCLEP wanted to raise any additional issues or would like to have a meeting to discuss the plans.</p>

	BCLEP responded on the 17 th December 2015 to confirm they have no comments to make. As the response to the Preferred Options was supportive officers felt there was no need to engage further except to update on the progress of the Plan.
Publication Response (7 th March – 3 rd May 2016)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Pre-Submission Modification Frontloading	As the response to the Preferred Options was supportive and there was no response received at the Publication stage officers felt there was no need to engage further except to keep the LEP informed of the consultation.
Pre-Submission Modification Response (7 th November – 19 th December 2016)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Remaining issues	No outstanding issues
Overview on how strategic cooperation influenced the plans?	Working with the LEP to ensure the strategy in the SAD and AAP align with their priorities is crucial and the support the LEP has shown for the plans demonstrates that the plans set out the right strategies for economic growth in Walsall. The LEP has shown commitment to working with the Council to deliver the proposals in the plans.

Black Country Local Nature Partnership (BCLNP)

UR 1452

I&O Frontloading	Initial discussions with Birmingham & Black Country Wildlife Trust, which includes the same officers who form the BCLNP.
I&O Consultation (22nd April 2013 and 3rd June 2013)	<p>Formal representation on the SAD received 3rd June 2013. Key points were as follows.</p> <ul style="list-style-type: none"> • Broad support for the plan’s objectives and for the issues raised. However, they could be strengthened through references to green Infrastructure and an environmental network. • Should refer to the Natural Environment White Paper and the Birmingham and Black Country Nature Improvement Area. • Refers to sources of information and advice, including EcoRecord, the Tame Catchment Pilot and Management Plan, Black Country Urban Park, Black Country Urban Forest, Black Country Environmental Infrastructure Guidance. • Some of the proposed allocations and ‘choices sites’ appear likely to have direct impacts on designated nature conservation sites and /or open spaces. <p>Formal representation on the AAP received 3rd June 2013. Key points were as follows.</p> <ul style="list-style-type: none"> • The Vision and objectives should be amended to reflect the contribution that the environmental network is capable of making. • The environmental network is as important within the town centre as outside it. • The town centre provides an opportunity to demonstrate the highest standards for sustainability, environmental performance, access and amenity, and green infrastructure. • Regeneration and development should bring opportunities to deliver the environmental network.

	Besides aligning with planning policy, the AAP should address the Natural Environment White Paper and Black Country Environmental Infrastructure Guidance;
PO Frontloading	The council provided the LNP with the mapping used for the emerging plans. The BC LNP has been on the list of invitees to attend the Black Country Duty to Cooperate Group and it has been represented at several meetings.
PO Consultation (7 th September – 2 nd November 2015)	Formal representation on the SAD received 20 th October 2015. Key points were as follows: <ul style="list-style-type: none"> • Pleased that the SAD conforms with and is aligned to the NPPF and the BCCS and uses the Black Country Environment Infrastructure Guidance as evidence. • Support the objectives of the plan, particularly for defining integrated environmental networks, protecting the natural environment, promoting green infrastructure and improving access to areas of open space. • Expressly supports the following policies: OS1 Open Space, LC5 Greenways, GB1 Green Belt Boundary, EN1 Natural Environment, EN2 Ancient Woodland, EN3 Flood Risk, EN4 Canals, EN7 Great Barr Hall and Estate. • Add impact on the natural environment to Policy GB2. • Consider potential of other forms of evidence to inform and monitor plan-making and delivery. • Add references to supporting text to refer to the Birmingham and Black Country Nature improvement Area, and to refer to the protection of wildlife corridors. • Identify relevant delivery partners. <p>No comments received on the AAP.</p>
Publication Frontloading	An email was sent 14 th December 2015 which included a Duty to Cooperate pro-forma that summarised the comments made on behalf of both Birmingham & Black Country Local Nature Partnership and Birmingham & Black Country Wildlife Trust organisations on the Preferred Options consultation requesting

	<p>that they let us know of any inaccuracies or omissions. This pro-forma also asked if they wanted to raise any additional issues or would like to have a meeting to discuss the plans.</p> <p>No response from received from this email. However as the response to the PO consultation is generally supportive and many of the recommendations made have informed the Publication documents. It is considered there is no need for the Council to proactively seek meetings in respect of particular issues. The Council will, of course, be open to further discussion should the LNP wish. It has included the LNP in the Publication consultation and will keep the LNP informed on the progress of the Plan.</p>
<p>Publication Response (7th March – 3rd May 2016)</p>	<p>Notified of formal consultation.</p> <p>SAD – no formal response received AAP – no formal response received</p>
<p>Pre-Submission Modification Frontloading</p>	<p>As the response to the Preferred Options was supportive and there was no response received at the Publication stage officers felt there was no need to engage further except to keep the LNP informed of the consultation should they wish to comment on the modifications..</p>
<p>Pre-Submission Modification Response (7th November – 19th December 2016)</p>	<p>Formal representation received 13th December 2016.</p> <p>Key points as follows: The B&BC LNP expressly supports the following modifications:</p> <ul style="list-style-type: none"> • OMSAD21 – Policy OS1 Open Space, Sport and Recreation • MMSAD17 – Policy LC5 Greenways • 6.2.1 & 6.2.2 – the Trust welcomes the reference to the Environment Dashboard in text and evidence. • MMSAD22, MMSAD23 – Policy EN1 Natural Environment Protection, Management and Enhancement

	<ul style="list-style-type: none"> • MMSAD24 + text in 7.4.1, 7.4.2, 7.4.3, and 7.4.4 - Natural Environment Protection, Management and Enhancement • OMSAD32 & OMSAD33 - 7.5 Ancient Woodland • MMSAD26 & MMSAD27 - Policy EN4: Canals • MMSAD30 – Policy EN7 (& supporting text) Great Barr Hall and Estate • MMSAD38 - Policy M2: <p>BCLNP did request that for modification OMSAD30 – the text is amendment to clarify that SINC and SLINC designations are overseen and endorsed by the Birmingham & Black Country Local Sites Partnership (B&BC LSP), of which Walsall Council is a partner (final para. p.112). This paragraph and Table 7.1 should explain that the B&BC LSP carries out this role according to guidance from DEFRA (DEFRA (2006) Local Sites Guidance on their Identification, Selection and Management).</p> <p>AAP – no formal response received</p>
<p>Remaining issues</p>	<p>A further change is proposed to the council's proposed modifications in response to 1 of the 2 points made in this representation.</p> <p>i) It is agreed that the responsibility for the designation of 'Local Sites' should use the terminology suggested by the Partnership. This it is proposed to amend the 4th column of Table 7.1 in respect of the designations of both SINCS and SLINCS, so that the responsibility for designations should be clarified.</p> <p>ii) No further change is proposed in respect of the DEFRA guidance referred to. The document is now in the national archives so its status is unclear.</p> <p>Where feasible the Council has amended the plans to address all of the points raised by the LNP. As the points raised during the Pre-Submission Modification consultation are around the detail of the text rather than any strategic issues it is not considered that there are any remaining issues that need to be addressed.</p>

Overview on how strategic cooperation influenced the plans?	Working with the B&BCLNP throughout the plan making process has resulted in plans that provide a strong policy base for the protection of the natural environment and that aligns well with LNP priorities and initiatives resulting in a joined up approach towards protecting our environmental assets.
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Civil Aviation Authority (CAA)

I&O Frontloading	No formal involvement
I&O Consultation (22nd April 2013 and 3rd June 2013)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
PO Frontloading	The CAA has been on the list of invitees to attend the Black Country Duty to Cooperate Group.
PO Consultation (7 th September – 2 nd November 2015)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Publication Frontloading	Reminder email sent 14 th December 2015 but no comments received. It is not considered the policies and proposals of Walsall's SAD and/or AAP would raise any issues for the CAA.
Publication Response (7 th March – 3 rd May 2016)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Pre-Submission Modification Frontloading	None required. It is not considered the policies and proposals of Walsall's SAD and/or AAP would raise any issues for the CAA.

Pre-Submission Modification Response (7 th November – 19 th December 2016)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Remaining issues	None
Overview on how strategic cooperation influenced the plans?	Neither the SAD nor the AAP raise any issues of strategic significance for the CAA.

Environment Agency (EA)

UR 801, UR 2658

I&O Frontloading	<p>The EA was advised of the preparation of the plans, and consulted on the draft Sustainability Appraisal (SA) Scoping Report in September – November 2011. The EA provided comments on the SA which were addressed through the revised scoping report.</p> <p>The council provided mapping of all sites that featured at the issues and options consultation stage to the EA for comment, so the agency could consider the implications of the proposed allocations, especially in respect of flood risk.</p>
I&O Consultation (22nd April 2013 and 3rd June 2013)	<p>Formal representation on the SAD received 3rd June 2013.</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • Majority of Walsall’s SAD allocations will require site specific Flood Risk Assessment (FRA) alongside any planning application. • Need to protect and improve the water environment through the implementation of the Water Framework Directive (WFD) and Humber River Basin Management Plan (RBMP). The EA will provide specific comments on how Walsall’s sites are impacted by the WFD and HRBMP. • Council should consider forthcoming National Standards for Sustainable Drainage Systems (SuDS) and a local specific SuDS document. Recommend the Council consults Severn Trent to discuss any concerns regarding the delivery of infrastructure. • Welcome the proposal to undertake a detailed Water Cycle Study. Agency will contact the Council once water body improvement plans and action plans are finalised. • Reference should be made to the recommendations in the 2010 ‘Making Space for Nature’ report. • Minerals proposals should consider ecological effects to Cannock Extension Canal SAC, Stubbers Green Bog, Swan Pool and the Swag SSSI, and Chasewater and the Southern Staffordshire Coalfield Heaths SSSI, along with the Humber RBMP. <p>Formal representation on the AAP received 3rd June 2013.</p>

	<p>Key points were as follows.</p> <ul style="list-style-type: none"> • On environmental infrastructure: support for AAP Objective 9. Town Centre is at risk of flooding and the urban heat island effect due to a lack of green infrastructure. Black Country Core Strategy Policy ENV5 does make provisions to mitigate these effects however the Council should consider guidance to support developers. • Support for development that improves ecological linkages to the canal and arboretum. • Support for exemplar design standards to support sustainable development in line with Black Country Core Strategy Policy ENV5. UK Climate projections suggest hotter drier summers, warmer wetter winters and rising sea levels. The plan should not make it harder to deal with problems in the future. • Reference should be made to the recommendations of the 2010 ‘Making Space for Nature’. • SuDS encouraged at new developments (with some exceptions e.g. contaminated land). • On flood risk: some areas of the town centre are affected by Flood Zone 2. Regard should be had to surface water flooding map and how this can assist developers when designing buildings. Buildings within Flood Zone 2 should consider raised access steps or ramps to increase protection of buildings to flood risk. Creation of flood warning systems and defences should be considered. <p>In addition to the formal representation received, the EA (Becky Clarke) helpfully provided site specific comments 3rd June 2013 using the mapping of individual sites provided to the EA by the council at I&O frontloading stage.</p>
<p>PO Frontloading</p>	<p>The EA has been on the list of invitees to attend the Black Country Duty to Cooperate Group and it has been represented at several meetings.</p> <p>Meeting to discuss I&O consultation response and requirements of NPPF regarding sequential and exception tests towards PO stage– 6th November 2014 (Note available on request).</p>

	<p>PO mapping provided to the EA 23rd February 2015. New more accurate flood risk modelling - undertaken by JBA consultants - was sent to assist the EA with the assessment of Walsall’s PO allocations.</p> <p>As part of on-gong discussions, the EA agreed on 14th October 2015 that there was no need to undertake a Detailed Water Cycle Study as the preliminary WC study for the BCCS found that there was headroom to accommodate the growth proposed and neither South Staffordshire Water or Severn Trent responded to the SAD or AAP indicating that there was a capacity issue.</p>
<p>PO Consultation (7th September – 2nd November 2015)</p>	<p>Formal representation on the SAD received 4th November 2015.</p> <p>Key points were as follows:</p> <ul style="list-style-type: none"> • Recommend Policy EN1 should cover the water environment. • Policy EN3 - reference should be made to culverts and the possibility of extreme events and blockages. • Site specific flood risk comments were provided. However the EA’s assessment of the sites was not informed by the best available flood risk data. Sites were assessed using national modeling of flood extents, rather than the more detailed JBA modeling work provided to the EA by the council October 2015 – this data was not used in error for the assessment and the sites were to be assessed again. The JBA data was confirmed by the EA (Martin Ross) on 12/02/2016 as being <i>“acceptable and there are no issues with it”</i>. EA agreed to re-assess the sites using the best available data. • Support for Policies EN4, EN6 and W1. • Concerns raised in respect of Policy W2 (for existing waste sites) and Policy W3 (for new waste sites) in respect of potential land use conflicts with nearby residential areas. • Reiterated the need for minerals proposals (in Policies M1-M10, but especially including for the working of brick clays) to consider the potential hydrological and ecological effects on designated sites, as previously and with the addition of Jockey Fields SSSI. <p>Formal representation on the AAP received 4th November 2015.</p> <p>Key points were as follows.</p>

	<ul style="list-style-type: none"> • On flood risk and water management: opportunities to open up culverted watercourses should be sought. Support for policy (f). The degree to which the Ford Brook culvert protects the town centre at times of extreme events or blockages should be considered. • Sequential and exception tests should be applied when appropriate in respect to the sites identified and flood resilience measures should be incorporated where appropriate. • On ground water and contaminated land: reference needs to be made to the Council’s own Contaminated Land Strategy and the joint Defra and Environment Agency publication CLR11: Model Procedures for the Management of Land contamination. ‘Groundwater Protection: Principles and Practice’ particularly position statement A should be incorporated into the Area Action Plan. Reference should be made to the EU Water Framework Directive (WFD) and the River Basin Management Plan that provides the framework to achieve the requirements of the WFD. • On biodiversity: consider opening up or mimicking an open channel AAP3. Add more weight to Green Infrastructure in respect of AAP4, AAPV7, and AAPV8. AAP13 Site TC41 any development of the site should look to improve the structure and habitat of the brook in line with WFD objectives. Consider setting back development (TC41) from this watercourse. Consider through TC44 de-culverting the Ford Brook and obtaining the exact line of the culvert.
<p>Publication Frontloading</p>	<p>A meeting with the EA to discuss their formal PO response was requested by Walsall. While this was not possible there had been frequent communication between the EA and Walsall via email and telephone between December 2015 and February 2016 on the matters raised by the EA. As a result of these discussions, some of the comments made by the EA initially were later revised or retracted..</p> <p>The main points of the position reached in respect of the SAD are understood by the council to be as follows.</p> <ul style="list-style-type: none"> • The EA has agreed to use the JBA flood-risk modelling (subject to some detailed issues and discussion). • Those remaining sites that might need specific references to FRA work including the possible application of the ‘exception test’ are to be confirmed (in addition to FRAs that might be needed as a matter of course to accompany planning applications). • It has broadly been accepted that it will not be feasible to open-up culverts and that the Local Plan will not have to examine the flood risks from blockages to culverts (although assessments might be

	<p>required for future applications that might lead to development closer to culverted watercourses than has been envisaged so far).</p> <ul style="list-style-type: none"> • The EA has agreed that a water cycle study will not be necessary as a result of the conclusions of the phase 1 Water Cycle study undertaken for the BCCS, and in light of there having been no consultation responses from Severn Trent Water and South Staffs Water raising issues regarding the capacity of infrastructure. • The council has sought to reflect various comments and recommendations – including in respect of water quality as well as flood risk - in amendments to policies, site allocations and reasoned justification. • The potential implications of minerals and waste proposals have been addressed in the policies in the Publication SAD Plan and have been discussed with Natural England. • The EA has agreed not maintain previous comments about waste planning in general, and the council has referred to the evaluation of sites for waste (and minerals and other uses) on the basis evidence used which takes accounts of the assets and constraints potentially affecting or affected by individual sites. <p>The main points of the position reached in respect of the AAP are understood to be as follows.</p> <ul style="list-style-type: none"> • The EA has agreed that the opening up of culverts will not always be feasible within the plan period. However the plan does make provision for the opening up of waterways where it is feasible to do so. • Flood resilient design has been incorporated into Policy AAPINV7. • Reference is made to the early flood warning system and the risk of blockages. • Reference has been made to the Environment Agency publications in respect of contaminated land. • AAPINV7(b) makes reference to the Water Framework directive and River Basin Management Plan. <p>In light of these responses, the council took the view that discussions would need to continue in respect of the modifications the council has made as a result of comments received since the PO stage consultation. Among other things, these should achieve the following:</p>
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	<ol style="list-style-type: none"> 1. Confirm whether any further work is required in respect of flood-risk, generally and/or in respect of any specific sites, in particular where and how the exception test might need to be applied. 2. Confirm whether the approaches proposed towards water quality issues are sufficient. 3. Resolve any remaining potential issues in respect of specific minerals and/or waste sites and the policy approaches taken towards these sites. 4. For the town centre confirm whether Policy AAPINV7 on site constraints addresses all of the comments made.
<p>Publication Response (7th March – 3rd May 2016)</p>	<p>Prior to the EA’s formal representations being submitted a meeting was held at the council offices on 15th April 2016 between planning policy, an employee of the EA and a member of Staffordshire County Council’s Flood Risk Management Team (a note of this meeting is available on request – email dated 19th April 2016). This meeting focused on flood risk matters and it was agreed that while there were a few sites that may require further investigation / climate change allowance model runs as part of site specific FRAs it was not thought that the flood risk affecting any of the allocations was insurmountable. However, it was suggested that Walsall reconsider the allocation HO305 as the JBA data indicates that the southern part of the site is affected by flood zones 2 and 3.</p> <p>Formal representation on the AAP received 4th May 2016 (Late response).</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • No requirement to open up culverts due to the significant difficulty in doing so; however opportunities to do so should still be explored. • Recommendations to strengthen the wording in the plan around the canal functioning more effectively as a Green Corridor as part of the Green Network <p>Formal representation on the SAD received 3rd May 2016.</p> <p>Key points were as follows.</p>

- Introduction to the latest climate change guidance and allowances as part of the assessment. For Walsall, it also unlikely that there will need to be re-modeling for the Industrial Uses, however, for residential, an extra 10% will likely to be applied (30% for Climate Change). In relation to this guidance it was Walsall's understanding that there was no need to make alterations to the allocations of the SAD as the guidance emerged too late in the plan-making process, however an addition to policy EN3 Flood Risk might be necessary to reflect the introduction of the new guidance.
- EA's floodplain maps for the Waddens and Bentley relief channel in Willenhall have not been amended. The EA considers this to be a defended area as the flood relief channel acts as a flood defense. Therefore sites within the area affected by flood risk, according to the EA's flood extents, must undertake FRA, but this assessment would be based on the scenario of what will happen if the culvert becomes blocked.
- JBA data identified areas at risk of flooding that were not at risk according to the EA's national flood risk mapping. As a result of these additional flood affected areas, site allocation HO305 should be looked into further in terms of its developable area particularly considering FZ3 and the need for an easement.
- Allocation HO303 is affected by FZ3; however the site, due its size, could be designed to manage flood risk through appropriate layout / design and provision of mitigation measures.
- Some sites are partially affected by FZ2 these will need to be subject to FRA at the planning application stage and remodeling required if appropriate.
- Identification of potential high quality and new employment sites at risk of flooding.
- Support for reference made to fire protection plans in respect of waste policy W2. However, question raised as to why this is not raised in respect of W3.
- Despite all sites for waste treatment having been left in the plan the EA are satisfied with the waste chapter as it stands.
- Policy EN1 should reflect best practice in terms of considering other options or site layouts prior to opting for mitigation for developments that will adversely affect biodiversity.
- Policy EN4 could include a requirement for developments next to the canal to improve the canal corridor through sensitive design and landscape. Plus the introduction of soft edging to the canal.

	No issues were raised in respect to the council's approach to water quality and the other matters discussed at Publication stage frontloading have been addressed through proposed modifications.
Pre-Submission Modification Frontloading	<p>Clarification was sought by the council on a number of matters regarding flood risk. The EA responded 13th June 2016.</p> <ol style="list-style-type: none"> 1. It was confirmed that no site allocations specifically needed to be changed. However it was recommended that EN3 should be added to with a policy to reflect new climate change allowance guidance. 2. For the purposes of the SAD and AAP the council is not required to undertake any further modeling. 3. With regards to the Policy EN3 – Lichfield and Hatherton Canal restoration project, although there was apparently a water availability study undertaken during early 2016 - neither the council nor the EA has been provided with a copy of this document. Although there remains uncertainty surrounding the supply of water to support the project on the basis of the information available it cannot be said that this issue cannot be overcome. In the absence of this information the EA are satisfied that the project can feature in the SAD provided the policy requires applicants to demonstrate that there is enough water for the project should applications come forward. 4. EA support the use of the hybrid JBA flood data for the SAD and AAP. However it was suggested that a 'defended area' exists where the River Tame is relieved by the Waddens and Bentley relief channel and that this should be shown as a diagonally hatched area on the SAD. However, the EA were unable to provide the council with a map illustrating this area and consequently it could not be added to the SAD. As a result it was later agreed that the SAD include text and an inset map indicating that there are differences between the national flood extents and the extents of the JBA national extent hybrid map, and the reader is advised to refer to the council's and EA's webpages for the latest available flood risk information. <p>Discussions followed regarding the proposed addition to Policy EN3 to reflect the introduction of the climate change guidance (see 1. above). Proposed additional policy text EN3(e) was agreed upon 15th September 2016.</p>

<p>Pre-Submission Modification Response (7th November – 19th December 2016)</p>	<p>Formal representation received on the SAD on the 5th January 2017 (outside the consultation period)</p> <p>The representation began by stating <i>“Overall, the Local Authority have worked closely with the Environment Agency to incorporate the vast majority of changes and further information suggested both in our response to the Publication Draft, and under the duty to co-operate since October 2015”</i>.</p> <p>The EA had the following detailed points to make:</p> <ul style="list-style-type: none"> • Recommend the universally recognized abbreviation ‘FZ’ is used when referring to flood zones for clarity. • Policy HC1: Land allocated for New Housing Development - In relation to HO11 and HO16 they agreed with the approach taken but recommend ‘flood relief’ is inserted before culvert, • With regard to HO305 at Cricket Close, they supported the site boundary amendment to exclude the areas of floodplain. • Policy EN1: Natural Environment Protection, Management and Enhancement - they suggested that reference is still made to the parts of BCCS Policy ENV5. • Policy EN3: Flood Risk They stated that there has been a significant amount of work and changes to this policy and supporting information in the intervening period between their previous formal consultation response and this draft. They stated that the policy and supporting text is generally an accurate representation and summary of the existing, and at times complex, picture of flood modelling and mapping within Walsall and that the policy wording is suitable. They suggested some changes to the supporting text around the modelling data. • Policy EN4: Canals point b) of the policy, The Lichfield Canal Water Supply Study undertaken by ESI on behalf of Lichfield and Hatherton Canals Trust, has recently been reviewed by the EA water resources specialist. The study is inconclusive in terms of whether water can be made available for the canal, with particular issues identified further towards the Lichfield end. Some sources have been ruled out, and further work in respect of other sources (i.e. the Coal Authority and Canals and Rivers Trust) have been recommended. They therefore conclude that the policy wording reflects a good balance between the potential opportunities and the present difficulties.
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	<ul style="list-style-type: none"> • Policy W3: New Waste Management Development- Waste Treatment and Transfer. Welcomes the inclusion of their recommended paragraph on Fire Hazards. • Regarding the allocations of sites, they welcomed and supported the removal of the Former Mckechnies site. <p>Formal representation received on the AAP on the 6th January 2017 (outside the consultation period).</p> <p>The EA confirmed they were satisfied with the policies in AAP but raised some concerns about the wording used to describe the level of risk from flooding in the Policy Justification of AAPINV7. Further email discussions were had and proposed amendments to the wording put to the EA. The EA confirmed they support the proposed wording and therefore have no further objections to the AAP on the 17th February 2017.</p>
<p>Remaining issues</p>	<p>There has been substantial work and discussions undertaken with the EA throughout the plan making process in order to ensure they are satisfied that the plans have the right data on floodrisk and that the plans adequately address any potential floodrisk issues. This amount of joint working has resulted in all issues being addressed and an approach towards floodrisk in the plans which the EA has endorsed.</p> <p>The Council emailed the EA on 25th April 2017 to say that it considered all of the issues that had been discussed had been resolved. However, the email did raise the fact that the Agency had served Notice (under the Reservoirs Act 1975) in respect of the lower lake at Great Barr Park.</p>
<p>Overview on how has the strategic cooperation influenced the plans?</p>	<p>Through detailed working with the EA from the start all sites have been assessed for floodrisk and where necessary amendments made to the plans to address the risk of flooding. The policy wording has evolved over the plans developments as a result of the discussions and have resulted in policies on floodrisk which are considered appropriate by the EA for submission. This has been a process of joint working and the sharing of information which has ensured both the Council and the EA have the information and data needed to be able to make accurate conclusions about the level of floodrisk, opportunities for de-culverting waterbodies and the water supply for canals.</p>

	<p>It remains to be seen whether and to what extent the EA’s application of the Reservoirs Act to Great Barr park might affect the interpretation and application of SAD Policy EN7.</p>
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Highways England (HE)

UR 733, UR 2402

I&O Frontloading	HE was formerly the Highways Agency, but the latter's responsibilities were split between HE and the ORR from 1 April 2015. The I&O work derived from discussions with the HA on the BCCS.
I&O Consultation (22nd April 2013 and 3rd June 2013)	<p>Formal representation on both the SAD and AAP received 22nd May 2013.</p> <p>Key points on the SAD were as follows.</p> <ul style="list-style-type: none"> • The objective “<i>to deliver a first class transport network</i>” is very broad and the SAD might benefit from explaining how it is to be achieved. • It is recognised the borough needs support to attract investment. • Several potential development sites (including for employment and for waste management) are close to the Strategic Route Network, especially M6 Junction 10 and the likely impacts and needs for improvements should be taken into account. There might be a need to safeguard land for improvements to Junction10. <p>Key points on the AAP were as follows.</p> <ul style="list-style-type: none"> • The level of development is consistent with the Core Strategy. As the most sustainable location in the borough the opportunities to accommodate development should be maximised. • The intention to improve public transport is welcomed.
PO Frontloading	HE has been on the list of invitees to attend the Black Country Duty to Cooperate Group and it has been represented at several meetings.
PO Consultation (7 th September – 2 nd November 2015)	<p>Formal representation on the SAD, AAP (and CIL) received 21st October 2015.</p> <p>Key points on the SAD were as follows.</p> <ul style="list-style-type: none"> • The regeneration of brownfield land is supported and the approach taken supports the principles of sustainable development and reducing the need to travel.

	<ul style="list-style-type: none"> • The majority of housing sites are in the regeneration corridors identified in the BC Core Strategy, but will nevertheless have traffic impacts. The agreed improvement scheme for M6 Junction 10 is considered “<i>imperative</i>”. • It is recommended that a buffer is provided for adjacent to routes on the Strategic Network. <p>Key points on the AAP were as follows.</p> <ul style="list-style-type: none"> • Site allocations for high-density, mixed use vibrant town centre will contribute to sustainable development and should have no adverse impacts on the operation of the Strategic Route Network, so the aims and objectives of the AAP are welcomed and supported. <p>It was also requested that consideration be given to including improvements to M6 Junction 10 in the CIL regime.</p>
Publication Frontloading	<p>An email was sent 1st December 2015 which included a Duty to Cooperate pro-forma that summarised the comments made on the Preferred Options consultation requesting that HE let us know of any inaccuracies or omissions. This pro-forma also asked if Highways England wanted to raise any additional issues or would like to have a meeting to discuss the plans.</p> <p>Highways England responded to the email confirming they had no further issues and a meeting was held on 14th January 2016 to finalise outstanding tasks prior to the SAD and AAP publication stage. HE thoughts were sought on proposed changes to a policy in the SAD to take into their comments from the previous consultation.</p>
Publication Response (7 th March – 3 rd May 2016)	<p>Formal representation on the SAD 12th April 2015.</p> <p>Confirmed that agreements made in response to comments on the draft consultation documents at a meeting between representatives of Walsall Council and Highways England meeting on 14th January 2016 have been incorporated into the document.</p> <p>AAP – no formal response received</p>

Pre-Submission Modification Frontloading	As there were no issues remaining it was not considered necessary to have a meeting in advance of the consultation.
Pre-Submission Modification Response (7 th November – 19 th December 2016)	<p>Formal submission to the SAD Pre-Submission Modifications 19th December 2016 supporting the proposed modifications to Policy T4 around sustainable travel and also to the reference to M6 Junction 10.</p> <p>AAP – no formal response received. Highways England stated in the SAD response:</p> <p><i>“The above comments relate to our response to the SAD and Highways England has no particular comments to provide on either the AAP or CIL documents”.</i></p>
Remaining issues	The Council has worked with HE to ensure the plans reflect their priorities and the implementation of schemes, as such there are no outstanding issues.
Overview on how has the strategic cooperation influenced the plans?	<p>The road network managed by Highways England is of crucial importance to the borough. The SAD and AAP seek to direct high density development to locations that are well served by public transport. This will help to minimise future road traffic growth arising from the proposals in the documents that might impact on the efficient functioning of this network.</p> <p>The SAD and Policies Map have been amended to include a reference to the proposed improvements to M6 Junction 10. By working with HE on the plans the council has ensured they reflect and agree priorities and that the allocations / policies support the delivery of important transport schemes.</p>

Historic England (HiE)

Formerly English Heritage

UR 812, UR 2149

I&O Frontloading	HiE was advised of the preparation of the plans, and consulted on the draft Sustainability Appraisal Scoping Report in September – November 2011. HiE provided comments on the SA which were addressed through the revised scoping report.
I&O Consultation (22nd April 2013 and 3rd June 2013)	<p>Formal representation on the SAD received 3rd June 2013.</p> <p>Key points on the SAD were as follows.</p> <ul style="list-style-type: none"> • Welcome inclusion of a relevant objective (including in the Sustainability Appraisal), but recommend rewording, including to refer to the environmental network and to local character and distinctiveness. • Should include more references to heritage and local character and to good quality design to positively take forward the Black Country Core Strategy. • It should be “<i>clearly demonstrated that an adequate, up-to-date and relevant evidence base on the historic environment and heritage assets has been used</i>” to inform the initial assessments and the selection of sites, including for housing and for industry. • The heritage assets of centres should be recognised as contributing to their vitality and viability. • Open spaces might be of historic significance or include historic features. • Would like opportunities to consider the sustainable future use of places of worship. • Development associated with the canal network should be appropriately designed and located and should not have negative impacts. • Would like to discuss issues relating to Great Barr Hall and Estate. <p>Formal representation on the AAP received 3rd June 2013.</p> <p>Key points on the AAP were as follows.</p>

	<ul style="list-style-type: none"> • Welcome the preparation of the AAP and the reference to heritage as part of the Vision. Heritage assets should be a key part of sustainable development. • The AAP needs to be informed by an adequate, up-to-date and relevant evidence base, and a historic characterisation study should be a key part of this, including in helping to inform the approaches to a number of the options in the consultation. HiE would be happy to provide advice. • Separate objectives should be developed for conservation and design. • Support sustaining the cultural role of the town centre and measures to sustain and enhance heritage assets, including the canal and upper floors of older buildings. • There is a need for evidence to show how the historic environment and heritage has informed the site selection process. • Happy to coordinate a meeting with the Council to follow-up our comments and recommendations in more detail.
PO Frontloading	<p>HiE has been on the list of invitees to attend the Black Country Duty to Cooperate Group and it has been represented at several meetings.</p> <p>Meeting to discuss I&O consultation response 16.06.14 – Notes of meeting available on request. Follow up meeting 8th April 2015 to discuss progress of characterisation study – Minutes of meeting available on request.</p>
PO Consultation (7 th September – 2 nd November 2015)	<p>Formal representation on the SAD and AAP received 2nd November 2015.</p> <p>Key points on the SAD were as follows.</p> <ul style="list-style-type: none"> • Support inclusion of section on Historic Environment, but propose amendment of objective to include expanded reference to heritage (separate from design objectives). • Concern that consideration of the impacts of Allocated Sites on heritage assets appears not to be explicit and relevant evidence sources are not apparent. This applies in respect of sites for housing, for gypsies and travellers and travelling showpeople, industry and leisure and community. There is a need to compliance with NPPF Section 12.

- Suggest amendment to Canal policy (EN4) wording to enhance reference to heritage assets associated with the canals.
- Question why Historic Environment section focuses only on Conservation Areas (Policy EN5) and suggest amendments to the policy text to bring it more in line with the NPPF.
- Raise questions about the appropriateness of providing policies for Highgate Brewery (EN6), and Great Barr Hall, estate and former St Margaret’s Hospital (EN7), asking if the principle of development at these sites has been assessed and asking for a meeting to discuss the sites in more detail before they can assess whether policy wording amendments are required or if the sites should be taken forward.
- Concerned about the impact of waste (policies W2-W4) and minerals (policies M1-M10) site allocations on the historic environment and about how these have been assessed.
- Keen to see mineral workings for locally distinctive building materials.
- Would welcome assurances that the transport policies have considered effects on the historic environment.

Key points on the AAP were as follows.

- Support reference to heritage in ‘Vision’, and also Objective 8 though with some amendments to wording.
- Welcome Town Centre Characterisation Study as evidence base but need to be clear in its use as an evidence base to feed into policies throughout the AAP.
- Recommend that it is made clear the assessment of impacts on the historic environment is part of the selection of sites for development (policies AAPS2, AAPB1, AAPB3, AAPLE3, AAPLV1, AAPLV2, AAPLV5, AAPT4, AAPT5, AAP12-AAP16,
- Support references to particular assets that are important to the heritage and character of Walsall. These include Walsall Market (Policy AAPS2), the ‘Social Enterprise Zone’ (AAPB2), cultural facilities (AAPLE2), Walsall Canal (AAPLE4), as well as to heritage generally ((AAPLV5), the public realm (AAPLV7), and the recognition that the centre comprises different areas (AAP12-15). Recommend alterations to policies to enhance references to and protection of the historic environment and heritage assets.

	<ul style="list-style-type: none"> • Would welcome further information on the approach to minerals safeguarding areas (AAP17). <p>The response included links to several Historic England Guidance Notes and other advice relevant to the issues raised.</p> <p>HiE wished to discuss issues affecting individual development sites and to meet with the council to ensure issues have been addressed and there are no outstanding concerns at pre-submission stage.</p>
<p>Publication Frontloading</p>	<p>HiE Officer who provided the PO response is on maternity leave so meeting was arranged with her successor.</p> <p>Meeting on 7th January 2016 to discuss issues arising from the HiE response to PO consultation and potential ways to move forward – Minutes available on request.</p> <p>HiE looked through our allocated sites and provide comments on their impacts on the Heritage Assets as well as providing further comments on the SAD and AAP. Also suggested that Historic England would be willing to enter into a Statement of Common Ground where solutions can be found.</p> <p>Policy officers have assessed the allocated sites to identify a wide range of issues, assets and constraints that affect them; including heritage assets and canals (full list is in chapter 2 of Draft Publication SAD). Results of this process have been added to the Policy tables in the Publication Stage.</p> <p>Various policies were updated based on amendments suggested by HiE and other representations. The council considered that discussions would need to continue in respect of the modifications the council had made as a result of comments received since the PO stage consultation. Among other things, these should seek to achieve the following.</p> <ol style="list-style-type: none"> 1. Gain feedback on the historic environment policies in the SAD and AAP. 2. Provide feedback to HE on the ‘Issues, Assets and Constraints’ work and consider whether this (together with the Sustainability Appraisal) provides evidence of site impacts on Heritage assets and to enable such impacts to be addressed through planning applications.

<p>Publication Response (7th March – 3rd May 2016)</p>	<p>Formal representation on the Publication Stage consultation received 3rd May 2016</p> <p>Key points on the SAD were as follows:</p> <ul style="list-style-type: none"> • Welcome positive amendments in relation to historic environment and information on site constraints. • Policy EN6: Highgate Brewery <ul style="list-style-type: none"> ○ Welcome additional work on policy wording and justification text, particularly commitment to requiring a masterplan for the site. ○ No further comments to make on this policy • Policy EN7: Great Barr Hall and Estate (GBH&E) <ul style="list-style-type: none"> ○ Welcome the additional work on the proposed policy wording and justification text. ○ HiE remain concerned about inclusion of GBH&E in the plan without more substantive evidence base – which has repercussions on the policy wording ○ If required, HiE wish to agree a Statement of Common Ground in relation to the GBH&E site with Walsall Council ○ A meeting has been arranged for Mid May to discuss the GBH&E site. ○ HiE will wish to appear at the Examination in Public (EIP) should any differences in the approach to the site not be agreed prior to the EIP. <p>Key points on the AAP were as follows: Welcome wording revisions and amendments made in respect of historic environment - No further comments to make.</p>
<p>Pre-Submission Modification Frontloading</p>	<p>Meeting in May with representatives from HiE and Development Management colleagues to discuss the need to reword Policy EN7 following representations from the Publication Stage and raise concerns about the site that had been highlighted in representations from members of the public and through the most recent Planning Applications.</p>

	<p>The council asked for outstanding concerns to be put in writing and in June 2016 HiE wrote in respect of 2 sets of issues.</p> <ul style="list-style-type: none"> • Need to explain how the evidence base used for historic environment in the SAD was applied to the site allocations. • Inclusion of an ‘enabling development’ section in Policy EN7 without an evidence base showing that enabling development would be achievable or financially viable taking into account the impact on the heritage assets. <p>In July 2016 the council sent material to HiE.</p> <p>(a) Council responses to HiE’s comments on the impact of SAD allocations sites on Listed Buildings and Heritage Assets (from January 2016).</p> <p>(a) Rewritten Policy EN7 sent to HiE for comments prior to its inclusion in the Cabinet Report recommending consultation on Modifications to the policy. Telephone conversation and emails with HiE confirmed that the policy was being looked at by their Legal team as HiE do not consider it to be sound due to issues with wording in the enabling development section. HiE reiterated the option to work on a Statement of Common Ground prior to the EIP.</p> <p>No further comments were received from HiE at this time. The rewritten policy went to Cabinet and then had to be modified further due to the results of the Listing Review of Great Barr Hall and Chapel, which downgraded it to Grade II from Grade II*.</p>
<p>Pre-Submission Modification Response (7th November – 19th December)</p>	<p>Formal representation on the SAD recieved 19th December 2016.</p> <p>In regards to MMSAD30 the Great Barr Policy:</p> <p>The revised policy wording and justification text does not address concerns raised previously in relation to the inclusion of ‘enabling development’ within the site allocation policy. Enabling development in the heritage sense is development which is unacceptable in planning terms but for the fact that it would bring public (heritage) benefits to justify it, and which could not otherwise be achieved. As such, the inclusion of the wording within the site allocation policy would look to undermine this. As advised and discussed</p>

	<p>previously, Historic England would welcome the opportunity to continue to work with the Council in order to address these concerns ahead of the Plan’s Examination in Public.</p> <p>AAP – no formal response received</p>
Remaining issues	<p>There are no remaining issues in regards to the AAP and the Council has addressed all previous concerns raised by HiE in regards to the plans protection and enhancement of the historic environment.</p> <p>Many of the issues HiE raised in regards to the SAD have been addressed but there is a remaining point of discussion in regards to the Great Barr Hall Policy. The Council emailed HiE on the 12th May 2017 setting out the Council’s current position on the policy and explaining why the policy has not been amended to remove reference to enabling development. The Council emphasised its commitment to working with the HiE on the policy and continuing discussions in preparation for the examination of the SAD in order to conclude this remaining issue.</p> <p>The HiE replied on the 12th May 2017 confirming they are happy to work with the Council in preparation for discussions at the examination and that they will suggest some further wording to the policy for consideration.</p> <p>Following at telephone conversation HiE emailed the council in respect of the issue of ‘enabling development.’</p> <p>“Policy EN5: Historic Environment</p> <p style="padding-left: 40px;">A) Conservation Areas (keep text as proposed in latest mods)</p> <p style="padding-left: 80px;"><i>“Then introduce an additional section</i></p> <p style="padding-left: 40px;">B) <i>Enabling Development</i></p>

	<p><i>“Proposals for Enabling Development necessary to ensure the future of a heritage asset which would be otherwise contrary to the policies of the Development Plan or contrary to national policy will be carefully assessed against the policy statement and guidance provided by Historic England, or any superseding advice. (Optional addition would relate to local criteria such as...) In addition, to the criteria embodied in the national statement, in considering the extent to which the benefit of an Enabling Development proposals outweighs a departure from the Development Plan or national policy, the following local criteria will also be used to inform the decision making process:</i></p> <p><i>“(Examples could be as follows)</i></p> <p><i>“The Enabling Development proposed can be accommodated without material harm to the character of Great Barr Registered Park and Garden, and landscapes identified as being of local value (include any other particular spaces etc);</i></p> <p><i>“Enabling Development proposed at or within villages is well related to the village form, character and landscape setting;</i></p> <p><i>“That Enabling Development proposals are:</i></p> <ul style="list-style-type: none"> <i>- Based upon an up-to-date conservation management plan for the assets in their ownership, and a heritage impact assessment where the asset impacts on other heritage assets or setting, aligned with an up to date business plan; and,</i> <i>- Prioritised to address the needs of those assets identified as being at greatest risk unless it can be demonstrated and agreed that the Enabling Development proposals secures the future of a significant asset in conjunction with income generating development that would in turn support a reduction in conservation deficit;</i> <p><i>“Affordable housing contributions will be negotiated as part of residential Enabling Development schemes on sites which would trigger the application of Policy XXX. Consideration will be given to varying the form of contributions sought though Policy XXX so as not to prejudice the heritage benefits of the Enabling Development proposal and will be informed by an up to date viability</i></p>
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	<p><i>report which has been tested by an independent valuer at the cost of the developer/applicant or their representative.</i></p> <p><i>“Justification text could set out, in addition to the Conservation Area issue, that the BCJCS does not address enabling development and it is, therefore, considered prudent to include it as part of a Historic Environment policy in relation to Walsall MBC site allocations to provide for potential investment to the area. Heritage at Risk could be highlighted to emphasise this aspect and Great Barr could be mentioned along with other sites at risk. The requirements of a heritage impact assessment could also be set out here and we could develop suitable wording for this if considered appropriate to the text of the SAD.</i></p> <p><i>“If the Council was agreeable to this approach, it would mean that the enabling development text could be removed from Policy EN7 which is the issue HE has issue with – the dichotomy of allocating a site on the basis of Enabling Development undermines the allocation and the principles of Enabling Development in a heritage sense as previously advised and discussed. The remaining revised text would retain the thrust of the policy for the site and what would be expected of a developer. If a developer then put forward that Enabling Development in a heritage sense was the way forward they would have to meet the requirements of Policy EN5 too. Having the separation of this from the main EN7 policy may assist with the EA issues too since they could be built in to any business plan/viability report too.”</i></p> <p>The council is including this here as it is willing to continue to discuss the issues.</p>
<p>Overview on how has the strategic cooperation influenced the plans?</p>	<p>Through working with HiE the plans have been developed to further protect and enhance the historic environment. The consultation response from the HiE resulted in the Council undertaking further work to evaluate the impact of policies and allocations on historic assets. Historic England have reviewed the allocations and are satisfied that the plans provide the necessary information on historic assets that allow them to be given full consideration during the development process and that the policies provide a sound basis for the mitigation of harm on such assets.</p>

	<p>There is an unresolved issue in respect of Great Barr Hall and Estate. The council is of the view that some kind of enabling development will be needed to provide for the restoration and continuing maintenance of the hall and of the parkland. HiE considers that a Local Plan that provides for development that would be contrary to planning policy would be a contradiction. The most recent correspondence from EiH raises potential issues in respect of Policy EN5 that have not been raised previously.</p>
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Homes and Communities Agency (HCA)

I&O Frontloading	The Council has worked successfully with the HCA over a number of years to deliver the regeneration of several areas of the borough, including parts of the Darlaston Enterprise Zone (notably the ‘Phoenix 10’ site) and former social housing sites, as well as sites in and around Walsall town centre. In the case of housing, joint working has been on a continuing basis relating to a programme of sites.
I&O Consultation (22nd April 2013 and 3rd June 2013)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
PO Frontloading	The HCA has been on the list of invitees to attend the Black Country Duty to Cooperate Group. The HCA has been involved in discussions with Walsall Council officers about programmes for bringing forward sites identified in the emerging plans.
PO Consultation (7 th September – 2 nd November 2015)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Publication Frontloading	Reminder email was sent on the 14 th December 2015 but no comments received. No comments have been received at any stage of production of the SAD or AAP. The HCA has however, been heavily involved in delivery of some of the major housing sites referred to in the SAD. The current housing programme for 2015-2018 is ongoing.

Publication Response (7 th March – 3 rd May 2016)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Pre-Submission Modification Frontloading	None required
Pre-Submission Modification Response (7 th November – 19 th December 2016)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Remaining issues	The HCA has been consulted throughout the process and have made no comments on the plans. The Council has a track record of working with the HCA and this will continue as part of delivering the allocations in the plans.
Overview on how has the strategic cooperation influenced the plans?	Delivery of much of the housing and other development proposed in the SAD and AAP is likely to be dependent on public funding to address ground instability and contamination associated with the mining and industrial legacy of the borough. The role of the HCA and other agencies will therefore be crucial to the success of the plans.

NHS England (NHS)

Previously (until 2013) the National Health Service Commissioning Board. Walsall has been contacting the Birmingham, Solihull and the Black Country Area Team.

I&O Frontloading	None
I&O Consultation (22nd April 2013 and 3rd June 2013)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
PO Frontloading	None
PO Consultation (7 th September – 2 nd November 2015)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Publication Frontloading	Reminder email sent on the 14 th December 2015 but no comments received. The main role of NHS England (through the NHS Commissioning Board) that might be relevant to the SAD/AAP is to allocate funding to Clinical Commissioning Groups, for example to provide new buildings. As such, it is considered that the information provided from Walsall CCG addresses the key issues.
Publication Response (7 th March – 3 rd May 2016)	Notified of formal consultation SAD – no formal response received

	AAP – no formal response received
Pre-Submission Modification Frontloading	None
Pre-Submission Modification Response (7 th November – 19 th December)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Remaining issues	See CCG response
Overview on how has the strategic cooperation influenced the plans?	See CCG response

Natural England (NE)

UR 1781, UR 2240, UR 2274

<p>I&O Frontloading</p>	<p>BCCS & SAC Partnership</p> <p>NE advised of preparation of plans, and consulted on draft Sustainability Appraisal Scoping Report in September – November 2011. NE provided comments on the SA which were addressed through the revised scoping report.</p>
<p>I&O Consultation (22nd April 2013 and 3rd June 2013)</p>	<p>Formal representation on the SAD and AAP received 3rd June 2013. Key points were as follows.</p> <ul style="list-style-type: none"> • The Vision – should include <i>“reference to the natural environment, particularly protection and enhancement of biodiversity and the requirement for development which responds robustly to climate change, includes sustainable transport and improves access for everyone to services including local open space and green infrastructure (GI).”</i> • <i>“Walsall Issues and Options Paper lacks detail on the natural environment and would like to see the following key environmental areas covered: the natural environment, the urban environment, environmental protection and climate change with a variety of development management policies proposed. Protecting and enhancing natural resources is a key challenge of delivering the growth required to meet the needs of communities, business and infrastructure.”</i> • Site Allocations - no specific comments relating to individual sites. Identified a number of designations and issues that might affect size, scale, form and delivery of housing. • Landscape - Walsall Council should take into account landscape character when allocating sites. • Biodiversity - development proposals should avoid designated sites, damage to existing biodiversity features and create opportunities through the delivery of Local Biodiversity Action Plan targets.

	<ul style="list-style-type: none"> • Geodiversity - policies should take a strategic approach to conservation, enhancement and restoration of geodiversity and provide opportunities for geodiversity interest as part of development. • Soils - consider SHLAA process to ensure protection of soils during plan making process. • Green Infrastructure (GI) - the importance of GI should be recognised in the plans. • Sustainability Appraisal (SA) Revised Scoping Report - report generally meets the requirements of the SEA Regulations. SA objectives being considered seem appropriate. • Habitats Regulations Assessment - plans must be screened with respect to the Habitats Regulations 2010 to determine whether appropriate Assessment is required. In combination effects of Walsall's and other plans must be considered. Suggests process of HRA runs in parallel with the stages of the plans creation.
<p>PO Frontloading</p>	<p>Walsall officers attended SAC Partnership meetings between 2010 and the summer of 2015. During that period officers expressed concern in respect to the interpretation of the evidence on which the strategic mitigation approach is currently based, and the legality of collecting contributions to fund the mitigation measures proposed in the Strategic Access Management and Monitoring Measures. However other members of the SAC Partnership were willing to progress with this approach despite of Walsall's concerns. As a result Walsall advised the partnership that it would be unable to sign up to the strategic mitigation approach as drafted in a MOU at the time and would be obtaining specialist advice on HRA issues and report back to the partnership when in a position to do so. Having taken this position and following comments provided 18th September 2015 in respect of questions to Counsel, being developed by the SAC Partnership, Walsall did not receive further correspondence from the SAC Partnership – until the Partnership began to discuss a partial review of its evidence.</p> <p>More generally, NE has been on the list of invitees to attend the Black Country Duty to Cooperate Group and it has been represented at several meetings.</p>

	<p>On another specific issues, in 2014 officers advised NE on the position regarding the Jockey Fields SSSI. This was in response to mineral exploration taking place as a dormant permission from the 1960s remains extant.</p>
<p>PO Consultation (7th September – 2nd November 2015)</p>	<p>Formal representations on the SAD, AAP (and CIL) – in respect of the Habitats Regulations - received 2nd November 2015.</p> <p>Key points on the SAD and on the AAP were as follows.</p> <ul style="list-style-type: none"> • Natural England (NE) acknowledges the text on the council’s website, which refers to work on a Habitats Regulations Assessment. • It understands the screening so far rules out significant effects on European sites with the exception of Cannock Chase SAC. • NE would welcome sight of screening work to date and would be happy to meet to facilitate completion of the screening process. <p>Formal representation on the SAD received 10th November 2015.</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • The plan area includes the Cannock Extension Canal, which is a European designated site. The documents provided do not demonstrate that the SAD will be accompanied by a HRA. • Natural England has not had sight of a Strategic Environmental Assessment. • Policies M6 (brick clay extraction - permitted sites) and M8 (brick clay extraction – new sites) would make the SAD unsound as being contrary to national policy and undeliverable. The Highfields North Site and Area of Search (‘Land North of the A461’ – MXA9) include the SSSI at Jockey Fields and the loss of the SSSI would be contrary to the NPPF, to the BC Core Strategy, the Wildlife and Countryside Act (1981) and the Natural Environment and Rural Communities Act (2006). The land within the Jockey Fields SSSI should be removed from policies M6 and M8. • NE generally supports the objectives of the SAD. Consideration might be given to an objective supporting renewable and low carbon energy.

	<ul style="list-style-type: none"> • The retention and updating of the Greenways policy (LC5) and policies on the Environmental Network (EN1, EN2, EN3) are supported. • On Atlas Quarry (Policy M6 – MP2) NE is supportive of the wording for Policy M6- MP2 (b), (c) and (d). • On Highfields South (Policy M6 – MP6) NE understand there are remaining permitted reserves of clay and why the site is not the subject of extraction ahead of the land north of the A461. • On Sandown Quarry (M6 – MP7) NE look forward to having an input to the restoration programme. • NE welcomes and supports criteria (iv) of the policy for Sandown Brickworks (Policy M7 – MB3). • On Stubbers Green Area of Search (Policy M8 – MXA3) the policy recognizes the limitations on extraction as a result of the existence of protected sites. The policy should be amended to include reference to the environment and specifically to Stubbers Green Biog and Swan Pool and the Swag SSSI. • On the Recordon Land (Policy M8 – MXP3) a criterion should be included in part ‘f’ of the policy to ensure a suitable assessment of impacts on the adjacent Stubbers Green Bog SSSI is provided for.
<p>Publication Frontloading</p>	<p>An email was sent 10th December 2015 which included a Duty to Cooperate pro-forma that summarised the comments received on the Preferred Options consultation, it provided NE with the opportunity to review Walsall’s understanding of the representation. This pro-forma also asked if NE wanted to raise any additional issues or would like to have a meeting to discuss the plans. NE responded on the 7th January confirming the council we had correctly summarised their response.</p> <p>Walsall continued to receive advice on its emerging documents and the requirements of the Habitats Directive during this period. While a view was not reached from the advice received in sufficient time to meet with NE in advance of the Publication stage consultation starting, a meeting would later be arranged at a point during the consultation period that allowed sufficient time for NE to respond to the consultation.</p>

	<p>Teleconference held with SM from NE 5th January 2016 to discuss the AAP, CIL, SAD allocations MP2, MP6, MP9, MXA3 and MXA9. SEA of the plan and HRA of the Cannock Extension Canal SAC (Note available on request – email 6th January 2016).</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • There was general support for the AAP • CIL was discussed and officers explained that viability in some areas was such that a nominal charging rate was only possible and that due to this it was unlikely that CIL would raise significant amounts of monies, and it is likely the majority of funds would be apportioned to maintaining open space. • Development with the potential to adversely affect the Cannock Extension Canal SAC will be subjected to the requirements of HRA at the project stage as insufficient detail is available with which to make an assessment at the plan making stage. • Greater explanation of why the Jockey Fields SSSI is included in the minerals site allocation. • Historic delivery of renewable energy and low carbon projects in Walsall has been such that it was agreed the objectives of the SAD should not make specific reference to its provision. <p>It was considered by the council that discussions would need to continue in respect of the issues raised by NE including;</p> <ol style="list-style-type: none"> 1. Specifically to discuss Cannock Chase SAC, the approaches to identifying and seeking to address impacts and the implications for Walsall’s plans. It will also be necessary to meet the other local authorities in the Cannock Chase SAC Partnership (particularly Cannock Chase, Lichfield, South Staffordshire and Wolverhampton). 2. To confirm whether the work done for the plans is sufficient in terms of the identification of possible impacts on nature conservation and the ability to properly address such impacts.
<p>Publication Response (7th March – 3rd May 2016)</p>	<p>Meeting held 14th April 2016 (email dated 4th May 2016)</p> <p>Key points were as follows.</p>

- In Walsall officers' opinion it is necessary to consider the implications of the 8km 'Zone of Payment' being extended in the future. Particularly as the viability study produced to inform the emerging local plans and CIL has indicated that the area of Walsall containing a significant amount of the borough's residential allocations is on the margins of viability and would potentially be unable to pay towards a package of mitigation measure for the SAC were it to be required too.
- Definition of windfall housing development was discussed and baseline data that informs the current strategic mitigation approach.
- For developments that come forward within 8km of the SAC Walsall would require developers to enter into S106 and contribute to the mitigation measures as per the arrangements detailed in the SAC Partnership's MOU.
- In order for Walsall to be comfortable with requesting developer contributions towards a package of mitigation, designed to address the effects of a net increase of dwellings, clarification was sought on how the effects from existing visitors will be split from the effects of visitors from new residential development.
- It was agreed that Walsall would present a set of questions to the SAC Partnership to determine whether its proposal to operate in a manner similar to the SAC Partnership's MOU was feasible.

Formal representation received 17th May 2016 on the SAD and AAP.

The key points were as follows:

- Agree with conclusions on there being no likely significant effects associated with the SAD upon the integrity of the Humber Estuary SAC/SPA/Ramsar.
- Conclude that Walsall is unable to ascertain that there are no likely significant effects associated with the SAD upon the integrity of European sites.
- Do not agree with the conclusions of the HRA of SAD proposed Policy EN4 as
 - (1) It does not include Appropriate Assessment for the Hatherton Branch Canal Restoration route alignment at Site Allocations Document stage; and
 - (2) It does not take into account up to date evidence relating to water availability for the project. NE recommend Walsall contact the EA for evidence of abstraction potential to service the scheme as this is the competent authority in respect of water abstractions and quality, update the evidence base for the Hatherton Branch Restoration Canal project accordingly ng the Lichfield DC approach, insert supporting text to explain that should an adequate water supply be able to be provided to

	<p>support its use any proposers to undertake an assessment which demonstrates there will be no significant impact upon the Cannock Extension Canal SAC or on the functions and ecology of the wider canal network. Collaborative working with the relevant local planning authorities, Environment Agency, Canal and River Trust and Natural England should be proposed.</p> <ul style="list-style-type: none"> • Objected to EN4 Policy on Canals arguing that the Hatherton Branch Canal scheme is undeliverable. NE suggest Walsall enter into dialogue with the EA and if appropriate, adopt the Lichfield DC approach, which safeguards the route for GI / heritage purposes yet allowing flexibility for the potential connection of the Lichfield Canal to the wider network as part of Policy / supporting text. • The suggest the removal of land within Jockey Fields SSSI from proposed SAD Policy MA7 in accordance with the requirements of the conservation principle provided by NPPF paragraph’s 110 & 118, BCCS Policy CSP3, ENV1 and the conservation provisions of WCA 1981. • Insert text SAD Policy M8(i) to make it clear that applications within / adversely affecting the special features of Jockey Fields SSSI will be resisted.
<p>Pre-Submission Modification Frontloading</p>	<p>Meeting held 24th May 2016 to discuss points in the SAD and AAP (note this was not to discuss the Cannock Chase SAC Issues)</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • MP9 Highfields North – confirmation that there was no evidence that the revocation order for the dormant minerals permission was served, and therefore it remains effective. SAD must therefore reflect the permission. However the site cannot be worked until a schedule of modern working conditions has been submitted to and approved by the council. NE understood the situation and agreed to consider the council’s approach to provide guidance to applicants regarding the supporting information that would be required with future applications. • Removal of the proposed area of search from the PO stage noted. NE accepted the rationale for the action and agreed to review the wording of related policy to minimise the risk of further harm to the Jockey Fields SSSI. • Concerns raised regarding SAD Policy M7 and specifically the potential to affect Stubbers Green Bog SSSI, Swan Pool and the SWAG SSSI. NE were to review the criteria covering potential impacts of future mineral working / quarry restoration.

- Although NE had objected to the Yorks Bridge safeguarded area of search it was later agreed that the impacts of mineral working on the SAC could not be evaluated with confidence at this stage given the size of the area and that it stretches into land in Cannock District, Staffordshire, which is much nearer to the SAC than the affected areas in Walsall. It was thought that the effects of mineral extraction in this area could be mitigated through the development management process, particularly in view of the policy requirement for a detailed HRA. However, in order to justify this approach in the policy, the HRA Screening Assessment of the SAD should include an evaluation of the potential risks to the integrity of the SAC, which confirms that this is the case.
- While the potential effects of the Hatherton Restoration Canal project concern NE, and there are some technical issues regarding the projects deliverability, there has been support for the project at previous consultation stages, and alterations to the policy at this stage will need to be justified. It was agreed that in the event that technical studies indicate that the project is undeliverable within the plan period that alternatively the indicative line of the project could become a greenway or heritage trail. NE was to clarify their position on the project and do some research into what could be done to protect the SAC.
- Walsall explained the approach in the AAP to the canal network and NE confirmed it has no concerns with Policy APPLE4: Walsall Canal.
- NE welcomed the inclusion of GI in the council's CIL 123 list.

NE wrote to the Council 27th May 2016 in response to an email from the Council 9th May 2016 in which the Council raised a number of key questions about the Cannock Chase SAC Partnership work in regards to windfall sites, visitor impact and the data being used. NE provided information in response to these questions.

NE wrote to the Council 8th June 2016 to confirm they had not fully understood that there was no relationship between the Town Centre Canal and the Hatherton Canal Scheme and that they therefore wish to withdraw their previous objection to the AAP Canal policy.

The NE wrote to the Council on the 9th June 2016 confirming their position on a number of issues on specific policies in the SAD:

- They consider the demands of policy M8 MP9 f-h) wholly reasonable, justified and the most appropriate way forward for the Plan. *“We consider the implementation of the permission difficult and complex but consider the Policy sound.”*
- General support and minor amendments to the Brick Clay policy.
- Reconfirm their position to the Hatherton Canal Policy.

NE wrote to the Council on the 22nd June 2016 further confirming their position on a number of issues in respect of MP9: Highfields North – Permitted Minerals Site:

Further to the comments already submitted, Natural England wishes to make further recommendations in respect of this policy, specifically in respect of site restoration and criterion g) xv Natural England recommends that this criterion be re-worded to read as follows:

“The entirety of the worked areas must be restored as recreated wildlife habitats as those habitat types currently present within Jockey Fields SSSI, and of similar and enhanced value....”

Conference call held 29th September 2016

- The preferred option to mitigate potential effects to Cannock Chase SAC using the advice provided by ecological consultants was flawed. Agreement that new SA option 2(a) provides a potential way forward.
- While NE agrees with the likely conclusion of the council’s HRA that there are no likely significant effects to Cannock Chase SAC as a result of implementing the SAD and AAP. It would arrive at this conclusion purely on the basis that neither the SAD nor AAP propose residential development within 8km of the SAC (the area from which residential development resulting in a net increase of housing is expected to provide developer contributions).
- Useful suggestions were made by NE regarding how the HRA should discuss and identify the implications were residential developments affected by viability within 8-15km of the SAC be required to make contributions to the SAC mitigation measures.
- It was indicated by the council that the HRA to be consulted upon as part of the pre-submission modification stage would, to provide an explanation of the position reached, identify some of the issues that have prevented Walsall from becoming a signatory of the strategic mitigation approach currently operated by the authorities that make up the SAC Partnership MOU.

<p>Pre-Submission Modification Response (7th November – 19th December 2016)</p>	<p>Meeting held 7th December 2016 Key points were as follows.</p> <p>Cannock Chase SAC</p> <ul style="list-style-type: none"> • NE confirmed there were no surprises in what was consulted upon, and supported the council's conclusion of no likely significant effects to Cannock Chase SAC. • NE note that the HRA is drafted in a way and continues to hold that the ZOP might change in the future and the potential resulting implications. • No opposition was expressed in relation to the replacement SA option 2(a) for the protection of the SAC. Discussed the opportunities to build upon and refine the evidence base relating to the recreational impact from new housing development, particularly investigating how socioeconomics might affect recreational pressure to the SAC. • NE indicated that the SAC Partnership had drafted their response to questions set by the council requesting clarification of the operation of the strategic mitigation approach detailed in the SAC Partnership's MOU. <p>Cannock Extension Canal SAC</p> <ul style="list-style-type: none"> • NE appreciates the issues surrounding the Lichfield and Hatherton Canal restoration project and minerals development in the north of Walsall with the potential to affect the SAC. While the council recognised it would be preferable to undertake detailed HRA in respect of the projects at plan-making stage it has been unable to do so as no firm proposals exist with which to evaluate impacts. The council's HRA does however highlight the impact pathways that might potentially link the effects of projects to the SAC. No opposition was voiced towards the policy approach opted for by the council to provide guidance and specify the information required should applications come forward. <p>A formal response was received 16th December 2016 on the SAD. The key points were as follows:</p>
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	<ul style="list-style-type: none"> • Natural England welcomes in principle the changes the Council has made to Policy (EN1) making some comments on the title of the map and key. (A further proposed modification was proposed by the Council to amend the title used in both the text and map to “8km Zone of Payment Surrounding Cannock Chase SAC”.) • They also stated their support for the Council’s approach towards Jockey Fields Policy M8 site MP9. They agree with the proposed modifications to the HRA and that a HRA should be completed at project level stage, (i.e. when a planning application is submitted) when further details should be submitted. • In regards to EN4 they stated that they understand that there is no water supply available within the Plan boundary and that it has been stated in the plan that there is water availability at Bradeley, Wolverhampton [this is not entirely correct – the Council emailed NE on 19th December 2016 to advise that Bradeley had been mentioned in a consultancy report as the ‘level’ that water might be sourced from but there was no evidence that water could be obtained from there]. On the basis on a supply of water being agreed and available, the new extension could result in an increase of boat traffic and movement on Cannock Extension Canal. This additional boat movement may result in adverse effects to Cannock Extension Canal SAC. The Local Authority when completing its plan HRA needs to be confident that there is a practicable and viable solution to avoid this effect. They conclude that modifications to Policy EN4b to are acceptable in providing protection to the SAC. They agree with the amendment to the policy wording to require proposals to have technical work, to show any adverse impacts on Cannock Extension Canal. We agree and support that a HRA is required. It is considered acceptable that the HRA can be completed at project level stage, when more evidence is provided. <p>AAP – no formal response received</p>
<p>Remaining issues</p>	<p>The Council has worked with NE throughout the production of the two plans on a number of complex and detailed issues. This joint working has resulted in issues such as those connected to the SSSI at Jockey Fields and the impact of canal projects on the SAC being addressed and NE withdrawing their objections.</p>

	<p>Following extensive negotiations with the Cannock Chase SAC Partnership and Nature England the proposal in the SAD is that developers of residential development within an 8km ‘Zone of Payment’ Surrounding Cannock Chase SAC will contribute towards a package of mitigation measures. Following discussions with Natural England and the SAC Partnership officers have drafted the necessary legal agreement with support from the Council’s legal team. The drafting of an agreement will help officers to negotiate and settle terms. It is proposed that the agreement should be submitted in draft to be considered through the SAD and AAP examination process. The Council is proposing to email the Draft agreement to NE and to the members of the Cannock Chase SAC Partnership when it advises them of the submission of the plans.</p>
<p>Overview on how has the strategic cooperation influenced the plans?</p>	<p>Through extensive negotiations with NE and the Cannock Chase SAC Partnership it has been possible to come up with a solution that provides the necessary mitigation for impact on the SAC without having a detrimental impact on the delivery of the strategy for providing homes to meet Walsall needs up to 2026. Working with NE has ensured that the impact on nature conservation designations have been thoroughly considered and that where necessary the policies mitigate any impact.</p>

Office of Rail and Road (ORR)

The Office of Rail Regulation, until 1 April 2015 when It gained responsibility for monitoring highways.

UR 1450

I&O Frontloading	Walsall Council's Engineers (and WM Integrated Transport Authority) have –for some time - been in discussion with various bodies about rail improvements in and around Walsall Borough (including on the electrification of the Chase Line which is currently underway, and the future of rail services between Walsall and Wolverhampton).
I&O Consultation (22nd April 2013 and 3rd June 2013)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
PO Frontloading	ORR has been on the list of invitees to attend the Black Country Duty to Cooperate Group.
PO Consultation (7 th September – 2 nd November 2015)	Formal representation on the SAD, AAP and CIL received 23 rd October 2015. This included the following. <i>“We have reviewed your proposals and can confirm that the ORR has no comment to make on these particular document.</i> <i>“For future reference ORR only requires to be consulted if the minerals & waste plan, transport plan, planning application, core strategy etc mentions or impacts on the mainline railway, tramway or London Underground network.”</i>
Publication Frontloading	Reminder email sent 14 th December 2015 but no comments received.
Publication Response	Notified of formal consultation

(7 th March – 3 rd May 2016)	SAD – no formal response received AAP – no formal response received
Pre-Submission Modification Frontloading	None
Pre-Submission Modification Response (7 th November – 19 th December)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Remaining issues	None
Overview on how has the strategic cooperation influenced the plans?	The SAD and AAP seek to direct the majority of new development, particularly for housing and other uses attracting large numbers of people, to locations that are well served by public transport, including rail where available. No proposals in the SAD or AAP will directly physically affect any part of the operational rail network. However, the absence of any response from the ORR means that the organisation has had no influence on the plans.

Walsall Clinical Commissioning Group (WCCG)

UR 1669

I&O Frontloading	Consultation with CCG was a continuation of discussions that took place as part of the Core Strategy preparation with the former Walsall Teaching Primary Care Trust.
I&O Consultation (22nd April 2013 and 3rd June 2013)	<p>Formal representation on the SAD received 20th May 2013 – from Walsall Teaching Primary Care Trust. Key points were as follows.</p> <ul style="list-style-type: none"> • Supported option of placing new housing on previously developed land in preference to Green Belt as the latter would have higher infrastructure costs. • Unfortunately without some assessment of the number of households that might arise from developments, it is difficult to make any kind of prediction what the likely impact would be and how the health infrastructure in any particular area would be affected. • However, the current position is that the CCG does have quite new facilities in both the west and the central corridors of the Borough – Darlaston, Willenhall, Harden, Blakenall and Pinfold to name but a few wards, where facilities are very modern. • Nonetheless rather than new or expanded premises which would be difficult to resource, the implication of proposals set out in both the Site Allocation Document is that the Local Authority may need to support the CCG in its future strategic direction encouraging GP practices as providers to work more collaboratively. <p>Formal representation on the AAP received 20th May 2013 – from Walsall Teaching Primary Care Trust. Key points were as follows.</p> <ul style="list-style-type: none"> • The overall plan and the vision for the town centre are supported. • Walsall Market and a vital and viable town centre are good for residents' well-being. • Opportunities for increased employment, including through office development, are supported. • Leisure facilities generally improve health and well-being, and support is given the improvement of facilities, including a new cinema and a continuing commitment to the Gala Baths.

	<ul style="list-style-type: none"> • The CCG and NHS England will need to consider the potential growth in demand for GP surgeries. • The approach to transport is supported in respect of public transport and reducing congestion and improving car parking. • The approach to promoting key areas for investment is supported and more investment and employment should provide health benefits.
PO Frontloading	Walsall CCG has been on the list of invitees to attend the Black Country Duty to Cooperate Group.
PO Consultation (7 th September – 2 nd November 2015)	<p>No formal comments received.</p> <p>A CCG representative attended Walsall Health Board on 7th September 2015, which received a presentation on the plans. Subsequently the CCG provided details of the Needs Assessment (for care and extra care homes) that has been carried out. See the market position statements at http://cms.walsall.gov.uk/index/health_and_social_care/social_care-2/social_care_and_health_commissioning.htm.</p> <p>CCG confirmed there was no need to identify specific sites for care homes. The CCG advised that the council's public health officers had led on work to identify any gaps in primary care provision across the borough.</p>
Publication Frontloading	<p>CCG advised that, in line with national policy, Walsall CCG submitted an Interim Estates Strategy to the Department of Health in December 2015, required to underpin the case for future investment in the primary care estate.</p> <p>As part of this piece of work, Walsall CCG commissioned a stocktake review of all its primary care sites, which included a dialogue with all GP practices about current and future issues affecting their service provision. The premises stock take identified a number of locality areas where more significant premises investment needs to be considered: these are Central Walsall, Palfrey and Aldridge. Options appraisal work was undertaken in these three localities in March 2016, to inform an investment bid from the Primary</p>

	Care Transformation Fund (PCTF), 2016 – 2018. Subsequent to the Publication stage, funding has been agreed for a new facility in Walsall Town Centre in 2016-17.
Publication Response (7 th March – 3 rd May 2016)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Pre-Submission Modification Frontloading	None
Pre-Submission Modification Response (7 th November – 19 th December)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Remaining issues	The CCG have raised no objections to the plans and it is not considered that there are any outstanding issues that need to be addressed. A background paper has been produced to support the SAD and AAP, providing an overview on the role of the CCG in the provision of health services.
Overview on how has the strategic cooperation influenced the plans?	The provision of adequate facilities for health and social care to serve an increasing population is a key issue for the SAD. However, several organisations are involved in this provision and it has been difficult to obtain a strategic overview, especially following recent reorganisations as a result of legislative change and funding reductions. Nevertheless, the evidence that the CCG has been able to provide indicates that existing facilities in most parts of the borough have adequate capacity, especially in those locations where significant numbers of new dwellings are proposed.

West Midlands Integrated Transport Authority (WMITA), now Transport for West Midlands (TfWM)

UR 57 (Centro), UR 2275

<p>I&O Frontloading</p>	<p>This DtC body was the former transport authority for the metropolitan area. Its policies were implemented through Centro, the Passenger Transport Executive. A series of working meetings have taken place throughout the process to jointly progress tasks related to transport.</p> <p>On Friday 17th June 2016, the West Midlands ITA and Centro/PTE were dissolved. The West Midlands Combined Authority (WMCA) replaces both organisations. Transport is now led by Transport for West Midlands (TfWM) – the transport arm of the Combined Authority. References to the ITA/ Centro are retained below where consultation took place before this date.</p>
<p>I&O Consultation (22nd April 2013 and 3rd June 2013)</p>	<p>Formal representation on the SAD received 3rd June 2013 – from Centro. Key points were as follows.</p> <ul style="list-style-type: none"> • The SAD and the BC Core Strategy and the Local Transport Plan, ITA Vision and Freight Strategy should be aligned. • Development should be focussed on strategic centres and close to public transport routes. • Land should be safeguarded for the following routes for rail-based transport: Walsall-Stourbridge, Walsall-Wolverhampton, Walsall-Lichfield. • Land should be safeguarded for park and ride at Aldridge (to be associated with future electrification of the Walsall-Sutton Coldfield line) and for rail freight provision, including at Bescot (which is mainly in Sandwell). • Walsall Town Centre should provide increased capacity for transport interchange opportunities, increased rail station capacity and access by ‘SPRINT’ vehicle. • Centro supports joint working including on delivery of new development and on funding (possibly including CIL). <p>Formal representation on the AAP received 3rd June 2013 – from Centro. Key points were as follows.</p>

	<ul style="list-style-type: none"> • The AAP should maximise use of public transport, protect land for public transport schemes, identify appropriate parking standards, and provide clear policies to manage development. • Centro supports the emerging vision and objectives and sees a strong correlation with the Local Transport Plan and other documents. • The scale of development proposed for Walsall Town Centre will have implications for transport in general and public transport in particular. • Regard needs to be had to public transport corridors (and potential corridors) radiating from the centre (see the routes referred to in the points made about the SAD). • Centro supports the Chapter on Transport, Movement and Accessibility. This should be supported by work on how improvements are to be phased, delivered and funded. • Centro supports ‘Option 2’ – partial de-pedestrianisation to allow buses into The Bridge and Park Street. At the same time, improved pedestrian and cycle routes should benefit from public realm enhancements. • Centro supports” Option 3’ on public transport, to redevelop Bradford Place Interchange and Jerome Retail Park. • Centro supports ‘Option 1’ for Walsall railway station: it should be expanded and improved to provide increased capacity. • Consideration should be given segregating taxis from public transport, including through the provision of new taxi ranks. • Highway improvements should include bus priority measures. • Centro supports joint working including on delivery of new development and on funding (possibly including from developer contributions).
<p>PO Frontloading</p>	<p>Ongoing working meetings.</p>
<p>PO Consultation (7th September – 2nd November 2015)</p>	<p>A meeting was undertaken on the 15th October where the following issues were discussed;</p> <ul style="list-style-type: none"> • Bradley Lane Park & Ride • Rapid Transit Route Study • HRA/SEA – has been produced for West Midlands Transport Strategy.

	<p>Formal representation on the SAD received 28th October 2015.</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • Consideration should be given to the Strategic Transport Plan for the West Midlands, which will cover the period up to 2033/34. Information was provided: Walsall 10 Year Transport Fund Programme and Schemes. • Site allocations should be compatible with the emerging Black Country Rapid Transit Review, which is seeking to progress segregated public transport links and alignments. • It is requested that continued protection is given to the Lichfield-Walsall-Stourbridge rail formation and provision made for the potential stations at Pelsall and Brownhills. • The WMITA is protecting both suburban rail and tram-train options in the Wolverhampton-Willenhall-Walsall rail corridor and provision for new stations (including park and ride facilities) should be protected at Willenhall and at James Bridge. • Proposals for metro/ light rail / tram-train should be protected in the Walsall-Wednesbury corridor. • A station for Aldridge remains a medium to long-term WMITA priority and land at Dumblederry Lane and Westfield Drive for possible park and ride provision should be protected until road access issues are resolved. • WMITA and Centro reiterate support for the partnership approach that has been taken in addressing strategic transport needs. <p>Formal representation on the AAP received 28th October 2015.</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • Consideration should be given to the Strategic Transport Plan for the West Midlands, which will cover the period up to 2033/34. • Consideration should also be given to the emerging Black Country Rapid Transit Review, to ensure that space is provided for growth to be supported by public transport (including proposals for SPRINT vehicles). • There should be particular emphasis on promoting public transport, walking and cycling, and direct safe and convenient access should be included within developments to link with such provision. • Policies AATP1 and AATP2 are welcomed, but could be strengthened to promote better integration, including with other transport modes, and improvements to the public realm and to lighting and signage are to be supported.
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	<ul style="list-style-type: none"> • Support improvements for public transport, including improvements to Bradford Place Interchange and to the railway station. WMITA is looking at measures to improve the operation of Walsall Bus Station. • On Policy AATP4 the aspiration to maintain and improve access in and around the town centre is welcomed. This should support measures for bus access and for bus stops. • Keen to explore funding opportunities including planning conditions / obligations to support sustainable travel. • Support partnership working including towards any necessary infrastructure planning to deliver the plan.
<p>Publication Frontloading</p>	<p>An email was sent on the 4th December 2015 which included a Duty to Cooperate pro-forma that summarised the comments made on the Preferred Options consultation, requesting that WMITA let us know of any inaccuracies or omissions. This pro-forma also asked if they wanted to raise any additional issues or would like to have a meeting to discuss the plans.</p> <p>Meeting was held on 11th January 2016 to finalise outstanding tasks prior to the SAD and AAP publication stage consultation. WMITA were satisfied with Draft Plan for the SAD and AAP. Support was sought from WMITA around the Delivery Plan for the SAD and AAP to ensure this document reflects the aspirations and timescales of the WMITA.</p>
<p>Publication Response (7th March – 3rd May 2016)</p>	<p>Letters dated 3rd May 2016 concerning both the SAD and the AAP. Comments addressed issues as follows:</p> <p><u>SAD:</u></p> <ul style="list-style-type: none"> • SAD is supported, setting out an approach for growth and development underpinned by a sustainable transport system in accord with the ITA’s strategic transport plan “Movement for Growth”. The ITA also welcome the positive partnership working with Walsall MBC • Under the Greenways section Policy LC5, we request that in addition to the National Cycle Route and Safe Routes to Schools Programme to support cycling, reference is also made to the canal network and the Metropolitan Strategic Cycle Network.

	<ul style="list-style-type: none"> • Welcome policy T2 for Bus Services. Reference should be made to Bus Network Development Plan for Walsall in delivery sections. • ITA’s 10 year Delivery Plan and Black Country Rapid Transit review (2015) should be referenced. • Request continuing protection of Stourbridge to Lichfield via Walsall rail alignment until future funding becomes available. • Future district centre area action plans should allocate specific locations for new/ relocated local rail stations at Brownhills, Bloxwich, Aldridge, Willenhall and Pelsall. • It is encouraging to see acknowledgement of the Key Route Network which will use highway capacity more effectively, to cater for movement by rapid transit and core bus routes, the Metropolitan Cycle Network, lorries, vans and private cars. More efficient use of road space, taking account of all modes should be therefore noted under the Key Route Network. <p><u>AAP</u></p> <ul style="list-style-type: none"> • AAP is supported, setting out an approach for growth and development underpinned by a sustainable transport system in accord with the ITA’s Strategic Transport Plan “Movement for Growth”. • The ITA would however welcome reference in policies AATP1 and AATP2 to the development of the Metropolitan Strategic Cycle Network, as set out in Strategic Transport Plan “Movement for Growth”, the emerging Black Country Walking and Cycling Strategy and how town centre routes should be connected to the wider Metropolitan Cycle Network. Also the provision of good quality cycle parking should be accompanied with consistent regional branding, signage and mapping etc.. Alongside the Metropolitan Cycle Network, reference to the ITA’s approved Cycle Charter should also be mentioned and the importance of integrating the cycle network with the public transport network. <p>Policy AATP3</p> <ul style="list-style-type: none"> • Welcomes policy on public transport but further development under Policy AATP3, Point C, regarding SPRINT is suggested. Consideration should be paid to future SPRINT Bus Rapid Transit lines and stops in the town centre and all routes should adhere to the Approved ITA SPRINT Standard’s.
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	<ul style="list-style-type: none"> • The town centres road network also needs to consider the operation of longer Bus Rapid Transit vehicles in terms of maneuvering and consideration should be paid to how public transport, including SPRINT, will serve existing and new developments. • ITA request that recognition of the Key Route Network and how it will provide more efficient use of road space, taking into account all modes of travel (including walking, cycling, bus and car use). • Under the Evidence section, request that reference is made to the Black Country Rapid Transit review and the Bus Network Development Plan. <p>Policy AAPT4</p> <ul style="list-style-type: none"> • Welcome the aspiration to maintain and improve access in and around the Town Centre • Reference to the Key Route Network should be noted. The allocation of road space should cater for all modes including public transport and cycling and should therefore be noted under the Key Route Network • Parking provision and pricing in Walsall Town Centre needs to promote economic growth, clean air and improved health and quality of life for people and reflect the approach of the ITA’s Strategic Transport Plan “Movement for Growth”. • It is important that any increased parking should NOT have a detrimental effect on the flow of buses
Pre-Submission Modification Frontloading	None
Pre-Submission Modification Response (7 th November – 19 th December)	<p>Notified of formal consultation</p> <p>SAD – no formal response received AAP – no formal response received</p>
Remaining issues	<p>The Council has worked in partnership with WMITA throughout the plans production and there are no outstanding issues that need to be addressed. A number of changes have been made to the plans at the various stages of their production to incorporate the comments made by WMITA and it is considered that</p>

	<p>all there representations have been satisfactory addressed. WMITA have not objected to the plans at any stage but rather proposed changes to make the documents align better with their own priorities and schemes.</p>
<p>Overview on how has the strategic cooperation influenced the plans?</p>	<p>Through working with WMITA throughout the process the plans align with WMITA strategies and priorities. The Council will continue to work with WMITA in the delivery of the schemes identified in the plans.</p>

Neighbouring Authorities

Black Country Authorities

The proposals in the SAD and AAP are intended to implement at a site-specific level the proposals in the Black Country Core Strategy that was prepared by the four local authorities of Dudley, Sandwell, Walsall and Wolverhampton. Ongoing discussions about planning matters continue both at officer level through regular meetings of 'Planning Leads' (Planning Policy Managers or their equivalents) and at Member level through ABCA (Association of Black Country Authorities comprising the chief executives and leaders) which informs the Black Country Joint Committee. Topic leads for housing, employment and other matters also meet on a regular basis. Minutes of the formal Duty to Cooperate Meetings, involving officers from all the West Midlands Metropolitan authorities, can be viewed on the Black Country Core Strategy web site. Officers from the Black Country authorities can also be brought together at other meetings, such as the Cannock Chase SAC partnership, where officers from Walsall and Wolverhampton have been in attendance and have sometimes represented each other's views.

Issue and Option Stage - no response for received from Dudley or Sandwell.

Wolverhampton's Archaeological advisor responded with the following:

13th May 2013 UR1675

Walsall Town Centre Action Plan and Site Allocation Documents

Thank you for your consultation on these documents. As far as Archaeology and the Historic Environment are concerned the chief importance is that development proposals are dealt with in line with national and local policy as defined in:

- *National Planning Policy Framework (2012)*
- *Historic Environment Practice Guide (2010)*

- *Black Country Core Strategy (2011)*
- *Walsall UDP (2005, 2011)*

Particular HE policies are as follows:

NPPF: paragraphs 58, 126-141, 156, 169-170, 184. 128 emphasises the need for the applicant to describe the significance of any heritage assets affected, including, if necessary, through commissioning field evaluation. The mention of the need to consult the historic environment record ‘as a minimum’ by implication commits the local authority to maintaining, directly or indirectly, a HER.

Historic Environment Planning Policy Practice Guide: this document, prepared to accompany PPS5: Planning and the Historic Environment (2010) has been retained for use with the NPPF until it is replaced by new guidance (Taylor Review 2012). Policy HE2, para 28 specifically states that All local authorities [should] have access to a Historic Environment Record

Black Country Core Strategy: Policy ENV2

Walsall UDP: Policies ENV 25, 26

Preferred Option Stage – no response received from Dudley, Sandwell nor Wolverhampton.

An email was sent on the 14th December 2015 to the three authorities providing them with another opportunity to raise any points attaching a blank proforma for completion. There was no response from any authority.

Publication Stage – no response was received from Dudley or Wolverhampton.

Sandwell (UR687) responded (27th April) in regards to Great Barr Hall stating that:

“Sandwell object to policy EN7 on the basis that it is not justified and not consistent with national policy. This policy has changed considerably from previous versions contained within the Issues and Options Stage 2013 and the Preferred Options Consultation 2015. Whilst appreciating the state of disrepair that Great Barr Hall is in there is no justification for this policy change. In previous versions of the policy enabling development was referred to at the very end of the policy. In the Publication version it is brought to the forefront of the policy and it is felt that this allows for inappropriate development in the green belt, something that previous versions of the policy did not... It is Sandwell Council’s view that any enabling development in this area will harm the setting of the heritage asset, in particular the important Registered Park and Garden that surrounds the Hall.

“Any enabling development will impact upon the openness of the green belt and be more prominent than the key features of the building, as at present the Hall itself is not visible from a wider area. The impact on nature conservation features of the estate would be measured from any proposal – although it is likely there would be an impact, and finally the character of the estate would be irrevocably altered if development was allowed.

“The main focus of the policy seems to be to allow development within the Registered Park to its detriment in order to potentially allow the Hall to be saved; it is not felt that this is acceptable.

“In considering the impact of any development it should be remembered that Sandwell is an almost entirely urban area completely surrounded by other metropolitan boroughs, with little Green Belt or urban fringe. Therefore the impact of development on the strategic gap between Walsall and Sandwell would be to the detriment of the residents and public of Sandwell, who would see no benefits from it.

“To conclude, it is the council’s opinion that this policy is contrary to the NPPF in that it allows for inappropriate development in the green belt and will harm the character of a historic registered park and garden. The council is also of the opinion that the policy does not justify why a registered park and garden should be harmed to enable a private commercial enterprise”.

At a meeting of officers from the 4 Black Country authorities on 8th June 2016 (to scope the work necessary for the review of the Black Country Core Strategy) Walsall Council officers explained the background to Policy EN7:

- a) There is a saved policy in Walsall's Unitary Development Plan, but no overall restoration has been forthcoming in over 25 years;
- b) The ownership of the overall site has been split with the 'liabilities' (the Hall, the lakes, most of the landscaped park) left outside of the area owned by Bovis Homes;
- c) This area is in commercial ownership and there is a need to provide resources for the restoration and maintenance of the Hall and the historic landscape, including the lakes;
- d) There is no sign that any public money is available, including to acquire the Hall and the landscape.

Pre-Submission Modifications Stage – no response received from Dudley, Sandwell nor Wolverhampton.

Future working -

Walsall is currently working on a review of the Black Country Core Strategy and the Issues and Options consultation is planned for July 2017. The four Black Country authorities therefore have an ongoing commitment to working together to deliver the housing and economic growth needed to support the regeneration of the Black Country and this will include working together to address strategic and cross-boundary issues.

In addition, meetings about plans for the Greater Birmingham and Solihull LEP have developed into meetings to consider housing growth across the wider combined Birmingham and Black Country Housing Market Area (HMA). The Core Strategy Review will have to consider the issues raised.

Other Metropolitan Authorities

Birmingham City Council (BCC)

UR 2617

I&O Frontloading	<p>Birmingham officers meet regularly with those from the Black Country as part of the West Midlands Metropolitan Authorities Duty to Co-operate Group.</p> <p>There have also been meetings about plans for the Greater Birmingham and Solihull LEP and these have developed into meetings to consider housing growth across the wider combined Birmingham and Black Country Housing Market Area (HMA).</p> <p>Engagement on cross-boundary waste and minerals issues has also continued throughout the process via West Midlands Resource Technical Advisory Body (RTAB), West Midlands Aggregates Working Party (AWP), and (since 2015) West Midlands Non-Aggregate Minerals Group.</p>
I&O Consultation (22nd April 2013 and 3rd June 2013)	<p>No formal comments received</p> <p>The metropolitan DtC Group meeting of 16th December 2013 agreed that Walsall had satisfied the Duty to Cooperate up to that time.</p>
PO Frontloading	<p>The authorities in the Greater Birmingham and Black Country LEPs have worked to prepare a joint Strategic Housing Needs Study that assesses future housing needs and examine possible options to address this.</p> <p>Birmingham City Council has also made a significant contribution towards the preparation of a joint Local Aggregates Assessment (LAA) for the West Midlands Metropolitan Area.</p>
PO Consultation (7 th September – 2 nd November 2015)	<p>Formal representation on the SAD received 4th November 2015.</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • The City Council supports progression of the SAD which will assist in the implementation of the Black Country Core Strategy.

	<ul style="list-style-type: none"> • The proposed modifications to the Birmingham Development Plan identify a shortfall of capacity for additional dwellings across the Greater Birmingham Housing Market Area, consistent with the Strategic Housing Needs Study. This study states that the Black Country Authorities may be able to accommodate their own demographically driven dwelling need for five years beyond the current plan period extending to 2031. It has been agreed that options for dealing with this shortly are developed and tested. • It is imperative that work to address the projected shortfall proceeds promptly and in tandem with the SAD. <p>No formal comments received on the AAP.</p>
Publication Frontloading	<p>An email was sent 16th December 2015 which included a Duty to Cooperate pro-forma that summarised the comments made on the Preferred Options consultation, requesting that Birmingham let us know of any inaccuracies or omissions. This pro-forma also asked if they wanted to raise any additional issues or would like to have a meeting to discuss the plans.</p> <p>No response was received to this email. However, discussions have continued on a broad range of issues through the West Midlands Metropolitan Authorities Duty to Co-operate Group. Also there is continuing involvement of both Walsall and Birmingham in meetings and work concerning the outcome of the Strategic Housing Needs Study including across the wider combined HMA.</p>
Publication Response (7 th March – 3 rd May 2016)	<p>Notified of formal consultation</p> <p>SAD – no formal response received AAP – no formal response received</p>
Pre-Submission Modification Frontloading	<p>None necessary</p>

<p>Pre-Submission Modification Response (7th November – 19th December)</p>	<p>Notified of formal consultation</p> <p>SAD – no formal response received AAP – no formal response received</p>
<p>Remaining issues</p>	<p>Work on housing capacity and the potential to accommodate additional housing in the Black Country to meet need that cannot be located within Birmingham’s boundaries will be ongoing as part of the Black Country Core Strategy Review.</p>
<p>Overview on how has the strategic cooperation influenced the plans?</p>	<p>Walsall’s SAD seeks to meet the housing targets in the Black Country Core Strategy. These exceed those required to meet the need identified at the time of preparation of the BCCS as arising from the Black Country alone. Furthermore, Walsall’s latest Strategic Housing Land Availability Assessment (SHLAA), which includes small sites and areas such as the district centres that are not covered by the SAD, identifies further potential housing capacity that is even greater than the BCCS target. The BCCS review and the wider HMA-based work will consider the extent to which this (and any other) extra capacity has the potential to meet future needs, from the Black Country and/or farther afield.</p>

Coventry City Council (CCC)

I&O Frontloading	<p>Coventry officers meet regularly with those from the Black Country as part of the West Midlands Metropolitan Authorities Duty to Co-operate Group.</p> <p>Engagement on cross-boundary waste and minerals issues has also continued throughout the process via West Midlands Resource Technical Advisory Body (RTAB), West Midlands Aggregates Working Party (AWP), and (since 2015) West Midlands Non-Aggregate Minerals Group.</p>
I&O Consultation (22nd April 2013 and 3rd June 2013)	<p>Notified of formal consultation</p> <p>SAD – no formal response received AAP – no formal response received</p> <p>The metropolitan DtC Group meeting of 16th December 2013 agreed that Walsall had satisfied the Duty to Cooperate up to that time.</p>
PO Frontloading	<p>Coventry City Council has also contributed towards the preparation of a joint Local Aggregates Assessment (LAA) for the West Midlands Metropolitan Area.</p>
PO Consultation (7 th September – 2 nd November 2015)	<p>Notified of formal consultation</p> <p>SAD – no formal response received AAP – no formal response received</p>
Publication Frontloading	<p>Reminder email sent 14th December 2015 but no comments received</p>

Publication Response (7 th March – 3 rd May 2016)	No response received
Pre-Submission Modification Frontloading	None necessary
Pre-Submission Modification Response (7 th November – 19 th December)	Notified of formal consultation SAD – no formal response received AAP – no formal response received
Remaining issues	Coventry have not made any representations to either plan and there are not considered to be any issues that need addressing.
Overview on how has the strategic cooperation influenced the plans?	See comments in relation to meeting housing needs arising from Birmingham.

Solihull MBC (SoMBC)

I&O Frontloading	<p>Solihull officers meet regularly with those from the Black Country as part of the West Midlands Metropolitan Authorities Duty to Co-operate Group.</p> <p>There have also been meetings about plans for the Greater Birmingham and Solihull LEP and these have developed into meetings to consider housing growth across the wider combined Birmingham and Black Country Housing Market Area (HMA).</p> <p>Engagement on cross-boundary waste and minerals issues has also continued throughout the process via West Midlands Resource Technical Advisory Body (RTAB), West Midlands Aggregates Working Party (AWP), and (since 2015) West Midlands Non-Aggregate Minerals Group.</p>
I&O Consultation (22nd April 2013 and 3rd June 2013)	<p>No formal comments received.</p> <p>The metropolitan DtC Group meeting of 16th December 2013 agreed that Walsall had satisfied the Duty to Cooperate up to that time.</p>
PO Frontloading	<p>The authorities in the Greater Birmingham and Black Country LEPS have worked to prepare a joint Strategic Housing Needs Study that assesses future housing needs and examine possible options to address this.</p> <p>Solihull MBC has also made a significant contribution towards the preparation of a joint Local Aggregates Assessment (LAA) for the West Midlands Metropolitan Area, being the only authority in the area with significant sand and gravel resources – apart from Walsall, where sand and gravel extraction has been in abeyance.</p>
PO Consultation (7 th September – 2 nd November 2015)	<p>Notified of formal consultation</p> <p>SAD – no formal response received</p> <p>AAP – no formal response received</p>

Publication Frontloading	<p>A reminder email was sent 14th December 2015 but there was no response.</p> <p>Solihull has continued to participate in discussions about issues arising from the Strategic Housing Needs Study. However, these relate mainly to the potential ability of Solihull to accommodate additional housing that cannot be located in Birmingham, rather than any direct relationship between Solihull and Walsall or the rest of the Black Country.</p> <p>Solihull is also involved in joint working to consider growth on the basis of the combined Birmingham and Black Country HMA.</p>
Publication Response (7 th March – 3 rd May 2016)	<p>Notified of formal consultation</p> <p>SAD – no formal response received AAP – no formal response received</p>
Pre-Submission Modification Frontloading	<p>None</p>
Pre-Submission Modification Response (7 th November – 19 th December)	<p>Notified of formal consultation</p> <p>SAD – no formal response received AAP – no formal response received</p>
Remaining issues	<p>Solihull have not made any representations to either plan and there are not considered to be any issues that need addressing.</p>
Overview on how has the strategic cooperation influenced the plans?	<p>See comments in relation to meeting housing needs arising from Birmingham.</p>

Cannock Chase District Council (CCDC)

UR 1812, UR 2058

I&O Frontloading	<p>Informal meeting held on 23/10/12, which considered issues arising from both the Cannock Chase Local Plan and Walsall’s SAD and AAP.</p> <p>CCDC is an active member of the Cannock Chase SAC Partnership. See re Natural England (above) for more detail.</p>
I&O Consultation (22nd April 2013 and 3rd June 2013)	<p>Holding representation on the SAD received 4th June 2013.</p> <p>This included the following.</p> <p><i>“We would appreciate a meeting with you to discuss the site adjoining our District boundary (Choices Site 93) [Yorks Bridge] which we understand has been put forward for a number of potential uses. We would also like to discuss the cross boundary Yorks Bridge minerals proposal (contained within your Minerals Areas of Search MXA4). Following further consideration of the document we may wish to address other issues, but these are the key ones for us at present.”</i></p> <p>Following informal officer discussions a fuller representation was received 6th November 2013.</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • Greater prominence should be given to ‘brownfield first’ principle. Reference should be made to the protection and enhancement of natural environment assets for their own value- not just in relation to serving needs of the community, open space and character. • The assessment should ensure cross-boundary issues are considered and addressed fully, particularly in relation to Cannock Chase SAC and Cannock Extension Canal SAC. • Support initial assessment of site CH93 (Yorks Bridge), which considered that the site should remain as Green Belt. • Proposals MXA4 and MXP4 [different options for a potential area of search for brick clay and coal at Yorks Bridge] have cross boundary implications. <p>No comments received on the AAP.</p>

<p>PO Frontloading</p>	<p>See also Staffordshire County Council below regarding discussions about cross-boundary waste and mineral issues.</p> <p>Key issues of concern to Cannock Chase District Council – relating to the potential impact of BCCS Area of Search for coal and clay extraction at Yorks Bridge and the Call For Sites site on boundary proposed by St. Modwen - were discussed at meeting on 23/11/13. Further details of the St. Modwen proposal were also shared with the District Council in December 2013.</p>
<p>PO Consultation (7th September – 2nd November 2015)</p>	<p>Formal representation on the SAD received 26th October 2015.</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • On housing some of the explanatory text would be more appropriate in the main body of the document, including how some of the surplus housing capacity could be used to deliver some of the wider needs of the HMA. • Query if the BCCS housing target itself needs to be revisited in light of more recent projections. • It would be helpful for clarity if a table could be provided which breaks down the sources of housing supply, including the capacity if a proportion of them were taken up for the needs of travellers instead. • Rigid approach to dismissing Green Belt options for traveller sites should be reconsidered. • It may be helpful to include a reference to a possible Green Belt review as part of the Core Strategy review both for traveller sites and for general housing. • On the Environmental Network reference needs to be made to Cannock Chase SAC zone of influence. • Cross boundary designation of conservation area along Cannock Extension Canal should be considered. There is no reference to Hatherton Branch Canal proposals. • On minerals support not taking forward allocation for minerals development at Yorks Bridge. It may be helpful to refer to local road network, particularly Lime Lane. • In the Sustainability Appraisal the generalisation that Green Belt sites would have worse access to public transport and other services should be looked at more flexibly. • The SAD should not delay the review of the Black Country Core Strategy.

	No comments received on the AAP.
Publication Frontloading	<p>An email was sent 16th December 2015 which included a Duty to Cooperate pro-forma that summarised the comments made on the Preferred Options consultation, requesting that Cannock Chase let us know of any inaccuracies or omissions. This pro-forma also asked if they wanted to raise any additional issues or would like to have a meeting to discuss the plans.</p> <p>Cannock Chase responded 7th January 2016 which included further clarification on the following:</p> <ul style="list-style-type: none"> • Cannock Chase Council has clarified that in respect of the Green Belt it was seeking a reference in supporting text to the possibility of a future Green Belt review. • Cannock Chase Council has pointed to previous evidence, including that commissioned in 2009 at the time of preparation of the BCCS, that provides a basis to indicate a route for a link between the Hatherton Canal (which is proposed for restoration) and the wider canal network within Walsall. <p>The response of 7th January 2016 suggested that a meeting take place to go through some of the issues including matters around a possible conservation area designation along the Cannock Extension Canal.</p> <p>Walsall Council has reflected both of these points in the Publication version of the SAD. Introductory text in Publication Document (section 1.3) now refers to possible Green Belt review as part of the review of the Black Country Core Strategy, which would also provide the basis to consider revised household projections.. The indicative line of the link to the Hatherton Canal Restoration Project has been added to the SAD and the policy and reasoned justification have been expanded to address issues relating to the Cannock Extension Canal (and SAC). Minerals and Waste policies also address the issues raised about these two topics.</p> <p>Walsall Council officers considered that a meeting might be required with Cannock Chase Council (as well as with the other Cannock Chase SAC Partnership authorities, and with Natural England) specifically to discuss Cannock Chase SAC.</p>
Publication Response	Formal response received 27 th April 2016 on the SAD. The key point were as follows:

<p>(7th March – 3rd May 2016)</p>	<p>Paragraph 1.3- Welcome reference to commitment to review of BCCS in 2016 and Green Belt review. Further context to the strategic matters to be considered could be added e.g. reference to the ongoing Greater Birmingham Housing Market Area housing supply shortfall work.</p> <p>Policy EN4- support references to Hatherton Branch Canal restoration</p> <p>Policy M9- Support for not allocating a minerals development site at Yorks Bridge based upon the existing evidence. Support for criteria set out to assess any future proposals.</p> <p>Policy EN1 should acknowledge that part of Walsall Borough lies within the Cannock Chase SAC 15 km Zone of Influence (ZOI): this should be directly referenced in the Policy and the Policies Map should reflect this.</p> <p>Evidence prepared by Footprint Ecology concluded that the ‘in combination’ impact of proposals involving a net increase of one or more dwellings within a 15km radius of the Cannock Chase SAC would have an adverse effect upon its integrity, with a significantly higher proportion of visitors (5/6) coming from within 8km. A map is appended. Those Local Authorities impacted by the ZOI have formed the Cannock Chase SAC Partnership, and have prepared a schedule of Strategic Access Management Mitigation Measures (SAMMM), funded by developer contributions: Natural England attend the SAC partnership and fully support this approach. Should developers not wish to pay the agreed contributions they have to satisfy Natural England that they can mitigate satisfactorily in other ways.</p> <p>However, whilst involved in the Partnership, Walsall MBC has never supported the approach being taken, nor have they accepted the ZOI, and have recently prepared further evidence which makes a number of suggestions for revision of the approach which has already been agreed by the rest of the SAC partnership.</p> <p>It is emphasised that Walsall have presented their objections to a number of different Inspectors at recent Local Plan examinations including the examination of Cannock Chase District Council’s Local Plan Part 1 in September 2013. Notwithstanding these objections, Inspectors have heard the evidence before them and found the approach – and policies for ensuring mitigation - to be sound.</p>
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	<p>It is noted that paragraph 7.4.1 does state that ‘appropriate and proportionate measures sufficient to avoid or mitigate any significant identified adverse impacts’ may be required. However, again it is stressed that the approach being taken by the other members of the Partnership is acceptable and has been tested through EiP. Should Walsall wish to take a different stance to others in the SAC partnership then it is imperative that this should be to the satisfaction of Natural England, to ensure that no harm arises to the SAC from proposed development in the Walsall Plan.</p> <p>No formal response on the AAP.</p>
<p>Pre-Submission Modification Frontloading</p>	<p>Ongoing discussions continued in relation to the issue of Cannock Chase SAC.</p> <p>With respect to the other issues raised at the Publication stage:</p> <ul style="list-style-type: none"> - The Greater Birmingham housing work is ongoing but would need to be addressed through the BCCS review rather than the SAD, as it relates primarily to the period beyond 2026. - A modification has been proposed in relation to policy EN4 and the Hatherton Branch Canal, although this relates to HRA and water supply issues rather than the representation from Cannock Chase Council.
<p>Pre-Submission Modification Response (7th November – 19th December)</p>	<p>Formal response to the SAD 15th December 2016. Key points raised were:</p> <p>Cannock Chase Council (as a member of the Cannock Chase SAC partnership) is pleased to see that the proposed submission plan now includes modifications to ensure that the impacts of development upon the Cannock Chase SAC will be mitigated for via Walsall Council acting in accordance with the MoU to which the other members of the Cannock Chase SAC partnership are signatories (MMSAD24). However, it should be noted, as per Cannock Chase Council’s representation to the earlier (pre modification) Publication SAD, that the Cannock Chase SAC Zone of Influence does in fact extend to 15km (as covered by the MoU) albeit with the majority of visitors arising from within the smaller 8km zone which is specifically referenced in the plan and shown on Map 7.2 (Modification OMSAD31). Whilst Walsall Council continue to state that they do not agree with the interpretation of the evidence in relation to the Zone of</p>

	<p>Influence (page 5 of the SAD), as set out in our earlier representation, this evidence has already been tested through various Examinations in Public.</p> <p>Therefore whilst Cannock Chase Council tentatively welcomes and supports the modifications in respect of the Cannock Chase SAC, it is emphasised that Natural England will need to be satisfied that the approach is robust and effective. Cannock Chase Council – as a member of the SAC Partnership – would therefore like to reserve the right to appear at any subsequent hearings should this be necessary.</p> <p>No formal response on the AAP.</p>
Remaining issues	<p>Cannock Chase continue to raise concerns in regards to the Council's approach to the Cannock Chase SAC but state that they support the most recent modifications and that they will need to be satisfied that Natural England support Walsall's approach. Natural England have stated they agree with the way the plans deal with the Cannock Chase SAC issue.</p>
Overview on how has the strategic cooperation influenced the plans?	<p>Through extensive negotiations with NE and the Cannock Chase SAC Partnership it has been possible to come up with a solution that provides the necessary mitigation for impact on the SAC without having a detrimental impact on the delivery of the strategy for providing homes to meet Walsall needs up to 2026.</p>

Lichfield District Council (LDC)

UR 709, UR 774

<p>I&O Frontloading</p>	<p>LDC is an active member of the Cannock Chase SAC Partnership. See re Natural England (above) for more detail.</p> <p>Responded to the draft Sustainability Appraisal (SA) Scoping Report in September – November 2011.</p>
<p>I&O Consultation (22nd April 2013 and 3rd June 2013)</p>	<p>Formal representation on the SAD received 3rd June 2013. Key points were as follows.</p> <ul style="list-style-type: none"> • Continuing protection of the Green Belt supported. • Support for a sequential approach in ordered to identify additional land for employment purposes. • Land Industry Option 4 (release land from the Green Belt) could not be supported without further justification. • Provision of housing on brownfield sites before the release of greenfield sites is supported. • Housing Option 4 (release land from the Green Belt) could not be supported without further justification. • Avoiding development in areas which would sterilise mineral reserves is supported. • Any mineral extraction proposed near the boundary with Lichfield should consider the impacts on residents of Lichfield (particularly transport and amenity). • After use of mineral sites should have regard to the Green Belt location and the need to address environmental issues. • Support for the proposals in respect of the Walsall to Lichfield Rail alignment. • Concern relating to ‘Choices’ site CH34 (Sandhills) as a major incursion into the Green Belt, which could have serious impacts. No justification for such a large scale release. <p>Formal representation on the AAP received 3rd June 2013.</p>

	<p><i>“The District Council support the objectives of the Plan in focusing investment within the town centre and the acknowledgement of the reopening of the Walsall-Lichfield rail line.</i></p> <p><i>“We look forward to the continuing dialogue as the plan progresses.”</i></p>
PO Frontloading	<p>See Staffordshire County Council below regarding discussions about cross-boundary waste and mineral issues – key issues of concern to Lichfield District Council (impact of increased sand and gravel extraction in Aldridge on roads in adjacent parts of Lichfield) were discussed at meeting on 23/11/13.</p>
PO Consultation (7 th September – 2 nd November 2015)	<p>Formal representation on the SAD, AAP (and CIL) received 25th September 2015.</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • It is not possible to assess the impact of the documents as none of the documents are accompanied by a sustainability assessment, Strategic Environmental Assessment, or Habitats Regulations Assessment (HRA). • Evidence prepared in support of the Lichfield Local Plan identified that development within Walsall will have an adverse impact upon the Cannock Chase SAC. • Lack of a Green Belt Review, which is not provided in the evidence base. • Focusing development within existing centres and the re-use of brownfield land is supported in principle. • Mineral Site MP5 (Land at Brownhills Common) support is provided in respect of the recognition that an assessment of impacts on Chasewater and Southern Staffordshire Coalfield Heaths SSSI is required. • Sites which affect strategic environmental networks should be required to mitigate for their impact during operation. Early phasing of restoration should be sought to retain corridors important for nature conservation. • Reiterate Issues & Options stage response in respect of mineral sites close to the boundary with Lichfield. • Support for re-opening the Walsall to Brownhills rail link (Policy T3) and beyond to Lichfield: Sustainable Transport and the identification of the canal Policy EN4.

<p>Publication Frontloading</p>	<p>An email was sent 16th December 2015 which included a Duty to Cooperate pro-forma that summarised the comments made on the Preferred Options consultation, requesting that Litchfield let us know of any inaccuracies or omissions. This pro-forma also asked if LDC wanted to raise any additional issues or would like to have a meeting to discuss the plans.</p> <p>Lichfield responded on the 22nd January with a few amendments and additional comments. LDC wished to expand on their comments about the Cannock Chase SAC and to ask us to consider how the SAD may need to respond to the quantum and distribution of housing across the GBHMA.</p> <p>In light of the above, Walsall Council officers considered that a meeting might be required on the following issues.</p> <ol style="list-style-type: none"> 1. Why a Green Belt review is not a matter for the SAD but is likely to be a part of work for the Review of the BC Core Strategy, including to address unmet projected housing need from other areas. 2. That – as shown in the ‘Preferred Options’ Documents and the accompanying assessment tables - the policies and allocations of the plans were the subject of Sustainability Appraisals (and a full Sustainability Appraisal Report has been published as part of the ‘Publication’ consultation). 3. The HRA work accompanying the SAD/AAP. 4. The reference made to canal restoration project(s) in SAD Policy EN4. <p>A meeting might be required with Lichfield District Council (as well as with the other Cannock Chase SAC Partnership authorities, and with Natural England) specifically to discuss Cannock Chase SAC.</p> <p>It was not considered that further discussion, nor a meeting, will be necessary on cross-boundary matters concerning minerals issues. Should Lichfield District Council think otherwise, Walsall officers will be happy to meet with Lichfield’s officers.</p>
<p>Publication Response (7th March – 3rd May 2016)</p>	<p>Formal representations received 29th April 2016 on the SAD. Key points were:</p> <p>Comments received about paragraph 1.3, and policies HC1-HC4, EN1, EN4, M4 (site MXA1), M5 (site MXA2), M9 (site MP5) and T3:</p>

	<p>Paragraph 1.3</p> <p>Whilst it is noted the plan considers it makes sufficient land for housing, employment and other significant land uses to meet the targets in the Black Country Core Strategy (BCCS) without the need to use land within the Green Belt, the SAD needs to explain how it will effectively respond to any proposals with respect to the quantum and distribution of housing across the GBHMA</p> <p>Policies HC1, HC2, HC3, HC4</p> <p>The policies will have an adverse effect upon the integrity of the Cannock Chase Special Area of Conservation. (see response to Policy EN1). A new policy should be added which identifies a zone of influence around Cannock Chase Special Area of Conservation. The policy should state that any new residential units and any development resulting in new visitors to Cannock Chase SAC will need to mitigate for its impact on Cannock Chase SAC.</p> <p>The zone of influence should be shown on the Proposals Map and Map 7.3 Natural Environment Designations.</p> <p>Policy EN1, Proposals Map and Map 7.3</p> <p>The policy does not reflect the best scientific knowledge in the field and the evidence produced and accepted at Local Plan Examinations. Policy EN1 should be amended to recognise the 15km zone of influence (ZOI) which exists around Cannock Chase Special Area of Conservation and this should be shown on the Proposals Map and Map 7.3 Environmental Network: Natural Environment.</p> <p>Policies EN4, M4 (site MXA1), M5 (site MXA2), M9 (site MP5, sub-paragraph xi) and T3</p> <p>Support policies (note that sub-paragraph xi for site MP5 in policy M9 has been re-numbered as sub-paragraph xii in the pre-submission modifications: this sub-paragraph refers to the ecological assessment of impacts on various sites of ecological importance)</p> <p>No formal response of the AAP.</p>
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<p>Pre-Submission Modification Frontloading</p>	<p>No modification was proposed in relation to the Greater Birmingham housing issue as this would need to be addressed through the BCCS review rather than the SAD, as it relates primarily to the period beyond 2026.</p> <p>Ongoing discussions continued in relation to the issue of Cannock Chase SAC.</p> <p>Lichfield’s representations at the Publication stage were supportive about other policies so no further discussions were required. However, it should be noted that modifications are proposed to some of these policies, in some cases to address representations made by other parties.</p>
<p>Pre-Submission Modification Response (7th November – 19th December)</p>	<p>Formal response to the SAD 15th December 2016 stating:</p> <p>Lichfield District Council have considered the Pre-Submission Proposed Modifications and the responses made to their representations. It is considered that significant changes have been made and the only outstanding concerns relate to the proposed modifications to Policy EN1 as outlined below:</p> <p>It is noted that considerable changes have been made to the plan and it has been amended to include reference to the Cannock Chase SAC and that Walsall intend to act similarly or in accordance with the Cannock Chase SAC Partnership’s Memorandum of Understanding and this is supported. However as stated in our previous representation there is a considerable body of evidence which concludes that the ‘in combination’ impact of proposals involving a net increase of one or more dwellings within a 15km radius of the SAC will have an adverse impact upon the integrity of the SAC and map 7.2 does not reflect this. The evidence prepared by Footprint Ecology has been accepted at Local Plan Examinations at which Walsall Council chose to appear and challenge the evidence, however the evidence and approach was found sound. Therefore whilst Lichfield District Council tentatively welcomes and supports the modifications in respect of the Cannock Chase SAC, this is subject to Natural England being satisfied that the approach is robust and effective.</p> <p>No formal response on the AAP.</p>

Remaining issues	LDC continue to raise concerns in regards to the Council’s approach to the Cannock Chase SAC but state that they support the most recent modifications and that they will need to be satisfied that Natural England support Walsall’s approach. Natural England have stated they agree with the way the plans deal with the Cannock Chase SAC issue.
Overview on how has the strategic cooperation influenced the plans?	Through extensive negotiations with NE and the Cannock Chase SAC Partnership it has been possible to come up with a solution that provides the necessary mitigation for impact on the SAC without having a detrimental impact on the delivery of the strategy for proving homes to meet Walsall needs up to 2026.

South Staffordshire District Council (SSDC)

UR 833

I&O Frontloading	SSDC is an active member of the Cannock Chase SAC Partnership. See re Natural England (above) for more detail.
I&O Consultation (22nd April 2013 and 3rd June 2013)	<p>Holding representation on the SAD received 3rd June 2013.</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • Support sequential approach to finding additional land for industry, with brownfield land examined first, although note that some of this may be undeliverable because of site constraints. There is a need for discussions on a sub-regional employment land study. • Urge Walsall MBC to continue to engage in partnership examining impact of development on Cannock Chase SAC. <p>Confirmation of South Staffordshire’s representation (Member decision) on SAD received 24th July 2013.</p> <p>No comments received on the AAP.</p>
PO Frontloading	See also Staffordshire County Council below regarding discussions about cross-boundary waste and mineral issues – key issues of concern to South Staffordshire Council (imports of clay from Essington to Sandown Works) were discussed at meeting on 23 rd November 2013.
PO Consultation (7 th September – 2 nd November 2015)	<p>Formal representation on the SAD received 27th October 2015.</p> <p><i>“South Staffordshire Council gives its strong support to Walsall MBC in seeking to progress its site allocations Document (SAD), through to Public Examination and future adoption, in order to deliver the commitments set out in adopted Black Country Core Strategy 2011.”</i></p>

	No comments received on the AAP.
Publication Frontloading	<p>No further meetings on cross-boundary brick clay supply issue, but as agreed at meeting on 23rd November 2013, SSDC was consulted on planning application to increase imports of clay to Sandown Brickworks in 2015.</p> <p>An email was sent 16th December 2015 which included a Duty to Cooperate pro-forma that summarised the comments made on the Preferred Options consultation, requesting that South Staffordshire let us know of any inaccuracies or omissions. This pro-forma also asked if they wanted to raise any additional issues or would like to have a meeting to discuss the plans.</p> <p>No response was received to this email.</p> <p>At that time Walsall Council officers considered there were no outstanding issues. Support for main policies is welcome. Issues relating to minerals and waste have been addressed in the respective policies.</p>
Publication Response (7 th March – 3 rd May 2016)	<p>Notified of formal consultation</p> <p>SAD – no formal response received AAP – no formal response received</p>
Pre-Submission Modification Frontloading	None
Pre-Submission Modification Response (7 th November – 19 th December)	<p>Notified of formal consultation</p> <p>SAD – no formal response received AAP – no formal response received</p>

Remaining issues	None
Overview on how has the strategic cooperation influenced the plans?	<p>The support of neighbouring authorities demonstrates that the plans reflect the wider regeneration strategy of the region.</p> <p>SSDC has not raised issues in respect of Cannock Chase SAC, and issues relating to possible cross-boundary impacts have been addressed.</p>

Staffordshire County Council (SCC)

UR 1803, UR 719

I&O Frontloading	Engagement on cross-boundary waste and minerals issues has continued throughout the process via West Midlands Resource Technical Advisory Body (RTAB), West Midlands Aggregates Working Party (AWP) and (since 2015) West Midlands Non-Aggregate Minerals Group. Walsall Council has also commented on the emerging Staffordshire Minerals Local Plan and on planning applications at Shire Oak Quarry in Staffordshire, which is adjacent to the borough boundary.
I&O Consultation (22nd April 2013 and 3rd June 2013)	<p>Formal representation on the SAD and AAP received 3rd June 2013.</p> <p>Key points were as follows.</p> <ul style="list-style-type: none"> • Expressed concerns about potential development sites near the boundary (in particular at Sandhills and at Yorks Bridge – both proposed by developers through the ‘call for sites’) in terms of transport impacts and environmental impacts. • Identified potential impacts in terms of mineral extraction, with significant ongoing demand for sand and gravel and brick clay from Staffordshire to meet identified requirements in Walsall. • Raised issues in respect of cross-boundary waste movements, and provision for waste management, in particular, provision for recycling of construction and demolition waste. • Requested a meeting to discuss minerals and waste issues. • No specific comments on the AAP.
PO Frontloading	<p>Meeting 20th November 2013 to discuss key cross-boundary issues for waste and minerals and potential waste and mineral sites in Walsall raised in representations received at Issues & Options stage. Meeting also included representatives from Cannock Chase District Council (CCDC), Lichfield District Council (LDC) and South Staffordshire Council (SSDC).</p> <p>Followed up by email correspondence and agreement for further collaboration on cross-boundary waste and mineral issues, including the development of site options on or near the boundary with CCDC and LDC that may impact on Staffordshire,</p>

	further details of St. Modwen proposal for Yorks Bridge were also shared with the Staffordshire County Council and CCDC in December 2013.
PO Consultation (7 th September – 2 nd November 2015)	<p>Formal representation on the SAD received 2nd November 2015. Key points were as follows.</p> <ul style="list-style-type: none"> • Acknowledge difficulty in assessing requirements for construction and demolition waste recycling and evidence obtained by Walsall. Should encourage recycling in light of the EU Waste Framework Directive. • Support identification of existing recycling sites as Strategic Waste Sites/ Mineral Infrastructure Sites and approach towards sand and gravel and brick clay extraction. • Suggest SAD should safeguard Permitted Mineral Sites and proposed site allocations. • Support the non-inclusion of the Yorks Bridge proposal on the basis that there is no current interest in the development of mineral resources. <p>No comments received on the AAP.</p>
Publication Frontloading	<p>No further meetings, but as agreed on 23rd November 2013, SCC was consulted on a planning application to increase imports of clay to Sandown Brickworks in 2015, as well as on the Draft Joint West Midlands Metropolitan Area Local Aggregates Assessment (LAA). Staffordshire CC did not object to the planning application, and their feedback on the LAA was mainly concerning information sharing. There has also been electronic and telephone communication on specific issues.</p> <p>An email was sent 16th December 2015 which included a Duty to Cooperate pro-forma that summarised the comments made on the Preferred Options consultation, requesting that Staffordshire CC let us know of any inaccuracies or omissions. This pro-forma also asked if the county council wanted to raise any additional issues or would like to have a meeting to discuss the plans.</p> <p>No response was received to this email.</p>

	<p>At that time Walsall Council officers considered there were no outstanding issues.</p>
<p>Publication Response (7th March – 3rd May 2016)</p>	<p>Formal response received to SAD 29th April 2016 stating:</p> <p>Support additions (paragraphs d and e) to policy M1 to safeguard permitted and proposed mineral working areas.</p> <p>To assist in implementing policies M1 and M2, consideration should be given to the way in which permitted mineral working sites and proposed areas for mineral working can be safeguarded from non-mineral development that could restrict mineral operations. For example, buffers could be defined on mapping around identified sites to clarify those areas where the policy needs to be applied. There should also be a requirement to maintain updated information about sites.</p> <p>Support section 9.5.4 (Note, there is a typing error in the Publication Draft Plan so that there are two sections 9.5.4: this representation in fact refers to the monitoring indicators on page 207. The pre-submission modifications correct the numbering of this section to 9.4.4).</p> <p>To improve the monitoring of clay provision to the works referred to under policy M6, the performance indicators should include monitoring of clay supplied from quarries outside Walsall. It is acknowledged that there may be a commercial confidentiality issue in implementing this monitoring but this is a matter that can be addressed by ongoing co-operation between the relevant mineral planning authorities and the industry.</p> <p>No response received on the AAP.</p>
<p>Pre-Submission Modification Frontloading</p>	<p>Policy M1 Policy is supported in principle so no further discussion is required. It is not necessary to identify 'buffers' around Permitted Minerals Sites and/ or Areas of Search. For permitted sites any potential conflict between mineral working and proximal development will have already been taken into account when the</p>

permission was granted. On active sites, potential conflicts are being managed through the mitigation measures already in place and the requirements imposed by the existing working conditions (as in the case of Atlas Quarry and Sandown Quarry). With regard to the two 'dormant' sites at Brownhills Common and Highfields North, such measures would be a matter for negotiation when applications for modern conditions are determined. Three Areas of Search have been identified around active/ recently active sites at Birch Lane, Branton Hill and Stubbers Green, which provide further scope for managing land use conflicts in the locations where future mineral working is most likely to occur during the plan period. The boundary of one Area of Search boundary (MXA1: Birch Lane) was also changed following the Issues & Options consultation to provide distance separation between potential working areas and existing residential development and reduce risks of future conflict. It is also implicit in the monitoring indicators identified at 9.2.4 that changes affecting Permitted Minerals Sites and Area sites will be monitored.

Policy M2

Again, the policy is supported in principle so no further discussion is required. It is not necessary to identify 'buffers' around Mineral Infrastructure Sites, because all but one of the sites identified in the SAD are in industrial areas identified on the Policies Map which are proposed to be retained in industrial use, and where proposals for non-industrial uses will not be permitted (BCCS Policies EMP2 and EMP3 and SAD Policies IND2 and IND3). The only exception is the recycling facility at Branton Hill Quarry (MI2). The scope for conflicts to arise from proximal development is therefore limited, and can be managed through application of other Local Plan policies (in particular, BCCS Policies EMP2, EMP3 and MIN1 and SAD Policies HC2, IND2 and IND3). Identifying them on the Policies Map should be sufficient to alert prospective developers to the existence of these facilities, and the need to avoid or manage any potential conflicts.

Section 9.4.4. (number as used in pre-submission modifications “track changes” draft SAD)

Staffs CC were to be advised that, although sufficient evidence has been gathered from recent planning applications to support the SAD policy and to establish a 'baseline' position on brick clay supply, the Council cannot commit to updating this evidence on a regular basis. Monitoring of SAD Policy M6 will depend on whether we have the resources to survey brickworks on an annual basis, and whether the brick manufacturers are willing to provide us with updated information. We cannot guarantee that manufacturers will always tell us where imported clay comes from, and any information that is provided to

	the Council may be regarded as commercially sensitive. We will therefore not be able to share it with other mineral planning authorities without the manufacturer's agreement.
Pre-Submission Modification Response (7 th November – 19 th December)	<p>Formal response received 19th December 2016 on the SAD stating:</p> <p>Ref: MMSAD37 – Support the insertion of “<i>or in close proximity to these areas</i>” under policy M1 d). This will enhance safeguarding of potential options for mineral development within the mineral safeguarding areas.</p> <p>Ref: MMSAD39 – Modifications to paragraph 9.2.1 refer to a MSA for fireclay resources having regard to existing published sources which includes a link to the British Geological Survey report “Provision of Geological Information and a Revision of Mineral Consultation Areas for Staffordshire County Council (2006)”. Please note that the fireclay MSA defined by Staffordshire County Council has been revised to take into account mapping of shallow coal resources published by the Coal Authority in 2014.</p> <p>Ref: MMSAD51 – Paragraph 9.5.1 refers to the non-designation of an area of search for coal and fireclay in the emerging Staffordshire Minerals Local Plan. Please note that the Inspector’s report has been received and it is intended to adopt the new Plan early in 2017.</p> <p>No response on the AAP.</p>
Remaining issues	There are no remaining issues from those raised by Staffordshire County Council. Their response to the Pre-Submission Modification consultation was about the specific details in the SAD rather than raising any strategic issues.
How has the strategic cooperation influenced the plans?	Further details have been added to the SAD in response to the Staffordshire County Council representations which have help to ensure the minerals policies are robust and provide the necessary information. Joint working across issues such as minerals is key to ensure there is a joined up approach to a cross-boundary resource.

Other Mineral and Waste Duty to Cooperate Authorities

<p>Herefordshire Council</p>	<p>Engagement on cross-boundary waste and minerals issues has continued throughout the plan preparation process via West Midlands Resource Technical Advisory Body (RTAB), West Midlands Aggregates Working Party (AWP), and (since 2015) West Midlands Non-Aggregate Minerals Group.</p> <p>No cross-boundary issues have been identified.</p> <p>No formal representations have been received from Herefordshire Council at any stage during the preparation of Walsall's SAD and AAP.</p>
<p>Shropshire Council</p>	<p>Engagement on cross-boundary waste and minerals issues has continued throughout the plan preparation process via West Midlands Resource Technical Advisory Body (RTAB), West Midlands Aggregates Working Party (AWP), and (since 2015) West Midlands Non-Aggregate Minerals Group.</p> <p>The only cross-boundary issues of any significance identified were as follows.</p> <ul style="list-style-type: none"> • Draft Joint West Midlands Metropolitan Area LAA (November 2015) identified that the West Midlands Metropolitan Area (but not necessarily Walsall) is partly reliant on Shropshire for crushed rock supplies. • A recent application to increase imports of brick clay to Sandown Brickworks in Walsall (15/0303/FL) indicates that this factory is currently importing some of its brick clay from Caughley in Shropshire. <p>Shropshire Council did not comment on the Draft LAA circulated to AWP members in November 2015, and when it was consulted on the recent planning application to increase imports of brick clay to Sandown Brickworks it did not object.</p> <p>No formal representations have been received from Shropshire Council at any stage during the preparation of Walsall's SAD and AAP.</p>
<p>Stoke-on-Trent City Council</p>	<p>Engagement on cross-boundary waste and minerals issues has continued throughout the plan preparation process via West Midlands Resource Technical Advisory Body (RTAB), West Midlands Aggregates Working Party (AWP), and (since 2015) West Midlands Non-Aggregate Minerals Group.</p> <p>There has also been indirect engagement on the preparation of joint waste and minerals local plans for Staffordshire and Stoke-on-Trent, via Staffordshire County Council (see above).</p> <p>No significant cross-boundary issues have been identified.</p>

	No formal representations have been received from Stoke-on-Trent City Council at any stage during the preparation of Walsall's SAD and AAP.
Telford & Wrekin Council	<p>There has been engagement between the Black Country Authorities and Telford & Wrekin Council on the emerging Telford Local Plan – a joint response on behalf of the Black Country Authorities was submitted in September 2015, and there are outstanding issues relating to housing provision in Telford.</p> <p>Engagement on cross-boundary waste and minerals issues has also continued throughout the plan preparation process via West Midlands Resource Technical Advisory Body (RTAB), West Midlands Aggregates Working Party (AWP), and (since 2015) West Midlands Non-Aggregate Minerals Group. In respect of minerals and waste no major areas of concern were identified in the Black Country response to the Telford & Wrekin Plan in 2015, although subsequently there has been additional engagement through informal electronic communication on the following issues:</p> <ul style="list-style-type: none"> • Feedback on draft waste and minerals policies in Telford & Wrekin Local Plan – no major issues of concern were identified apart from the omission of a policy on recycling of construction and demolition waste, which has now been addressed. • Sharing of information on brick clay supply and demand, which confirms that Sandown Brickworks in Walsall does not currently rely on supplies of clay from Hadley Quarry in Telford. <p>No formal representations have been received from Telford & Wrekin Council at any stage during the preparation of Walsall's SAD and AAP.</p>
Warwickshire County Council	<p>Engagement on cross-boundary waste and minerals issues has continued throughout the plan preparation process via West Midlands Resource Technical Advisory Body (RTAB), West Midlands Aggregates Working Party (AWP), and (since 2015) West Midlands Non-Aggregate Minerals Group.</p> <p>There has also been informal engagement on the emerging Warwickshire Minerals Local Plan.</p> <p>The main cross-boundary issues of significance identified have been as follows:</p> <ul style="list-style-type: none"> • There are significant cross-boundary movements of waste from Walsall to Warwickshire, mostly to landfill, although the waste is mostly exported from commercial waste treatment facilities over which Walsall Council has no control.

	<ul style="list-style-type: none"> • Walsall Council currently has a contract in place to send asbestos waste to landfill in Warwickshire, but the quantities involved are small (<100 tonnes) and as there are no suitable landfill sites in Walsall there is no option but to export this waste. • The Draft Joint West Midlands Metropolitan Area LAA (November 2015) identified that the West Midlands Metropolitan Area (but not necessarily Walsall) has been partly reliant on Warwickshire for sand and gravel supplies in the past but this is unlikely to be the case any longer as many sites in Warwickshire have recently closed and only two are currently operational. • A recent application to increase imports of brick clay to Sandown Brickworks in Walsall (15/0303/FL) indicates that this factory is currently importing some of its brick clay from Kingsbury in Warwickshire. <p>Comments were received from Warwickshire County Council on the Draft LAA circulated to AWP members in November 2015, mainly about information sharing and correction of factual inaccuracies about sites in Warwickshire. When it was consulted on the recent planning application to increase imports of brick clay to Sandown Brickworks the county council did not object.</p> <p>No formal representations have been received from Warwickshire Council at any stage during the preparation of Walsall’s SAD and AAP.</p>
<p>Worcestershire County Council</p>	<p>Engagement on cross-boundary waste and minerals issues has continued throughout the plan preparation process via West Midlands Resource Technical Advisory Body (RTAB), West Midlands Aggregates Working Party (AWP), and (since 2015) West Midlands Non-Aggregate Minerals Group.</p> <p>No significant cross-boundary issues have been identified. While there has been correspondence by email between December 2015 and February 2016 regarding potential demand for crushed rock from Worcestershire, in relation to the emerging Worcestershire Minerals Local Plan, Walsall Council has confirmed that there is no evidence that Walsall relies on this to any extent.</p> <p>No formal representations have been received from Worcestershire County Council at any stage during the preparation of Walsall’s SAD and AAP.</p>