

Inspector's Q44

I am somewhat concerned by the following passage in the paragraph 14 of the representation made by John Disley on behalf of Oxfordshire County Council (I have added underlining);

“In our response to consultation at the VALP Preferred Options stage, OCC requested that it be invited to work with AVDC and Buckinghamshire Councils under the duty to cooperate as the Local Plan evidence base is developed, to ensure that transport work takes account of significant growth proposals within Oxfordshire and the strategic infrastructure schemes identified or being explored to support it, particularly growth at Bicester and Thame. However, we have not been involved in modelling and related transport discussions and are concerned that insufficient attention has been paid to our comments submitted in response to consultation on the Aylesbury and Buckingham Transport Strategies.”

Although this is somewhat contradicted by the passage in paragraph 28 of the same representation which refers to a cross-boundary transport impacts meeting on 04/12/17 and the statement in paragraph 30 “that following the cross-border transport impacts meeting, a programme of additional work has been agreed in principle and will be progressed alongside a Memorandum of Understanding between Aylesbury Vale, Cherwell, Buckinghamshire CC, and OCC”, the statement reflects similar concerns expressed in the representation by Lewis Claridge on behalf of Hertfordshire County Council which comments that “the location of Aylesbury close to the boundaries of Hertfordshire, the direct road links, and the close cross-boundary connections and commuter flows between Aylesbury, south west Hertfordshire and Luton / Dunstable for instance, means that there needs to be an understanding of the likely cross boundary, cumulative impacts on the highway and transport networks of planned growth in all of these areas. Joint working with neighbouring LPAs and LHAs to understand and address these challenges may be needed in some areas in particular”. It goes on to remark “We note the Cumulative Impact Assessment that has been undertaken and considers all of the development sites around Aylesbury. However, we are concerned that it does not appear to consider impacts that may result outside of the border of the Vale of Aylesbury Local Plan. We also note the Aylesbury Transport Strategy commissioned by Bucks County Council and that transport modelling work has been undertaken – again, we have some concerns about how cross boundary impacts and cumulative growth is factored in.” It concludes by saying “HCC would welcome closer engagement with AVDC / BCC to better understand transport and highway implications of growth and planned development, infrastructure needs and transport proposals in our respective authority areas.”

In addition to these two comments from neighbouring highway authorities throwing doubt on AVDC's discharge of its Duty to Cooperate a number of public representations comment on AVDC's alleged lack of consideration of the effects on its plan on transport implications in Milton Keynes (examples include the representations from Jane Gardner of Marrons Planning and from Heather Pugh of David Lock Associates on behalf of O&H Properties referring to the Bletchley Southern Bypass).

The Plan fails the duty to cooperate in that the provision of the Bletchley Southern Bypass has not been addressed by the Council in liaison with the neighbouring authority of Milton Keynes.

A common theme to these representations is that they all concern the transport implications of the VALP, though there is also the relatively gentle comment contained in the representation from Hunt Ryan on behalf of South Oxfordshire concerning the impact on that authority's playing pitch provision arising from development proposals within VALP and stating that "We would welcome dialogue with AV on the implications of this and the potential for sharing developer contributions to address the impacts of increased demand for these pitches and their associated facilities as a result of significant growth in Aylesbury Vale." A similar comment in respect of Thame is made by Mr Graeme Markland in his representation on behalf of Thame Town Council; proposals in VALP "means that 1,205 dwellings identified within the Proposed Submission Plan will rely on Thame for their services. Yet there has been no conversation sought by the Vale Council with the Town Council, who, with its neighbourhood plan remit, have the greater local responsibility in providing infrastructure and supporting service facilities. This includes new GP/Health Hub facilities, a community centre, the movement of a primary school and the provision of further secondary school facilities; new sports facilities, parking, employment and public transport infrastructure. No evidence exists either that AVDC have been in conversation with South Oxfordshire District Council regarding cross-border impact on Thame, or its services and facilities.

I would welcome the Council's response to these observations on the discharge of its Duty to Cooperate, particularly in respect of the transport matters raised."

AVDC RESPONSE

This question refers to representations received from:

1. Oxfordshire County Council
2. Hertfordshire County Council
3. O&H Properties
4. South Oxfordshire District Council
5. Thame Town Council

This response will address each part of the Inspector's question in so far as it relates to a different representation in turn.

Oxfordshire County Council ("OCC")

As the Inspector's question rightly points out, the representation from OCC is somewhat inconsistent in that it refers to the request made by OCC at the Preferred Options stage that it be invited to work with AVDC and Buckinghamshire Councils under the duty to co-operate, it then complains that they have not been involved in modelling discussions, then later it refers to a meeting that took place on 4 December 2017 and which OCC attended when cross-boundary transport impacts were discussed. Moreover, the representation goes on to explain that following that meeting a programme of additional work has been agreed in principle and will be progressed alongside a Memorandum of Understanding between AVDC, Cherwell DC, BCC and OCC. This clearly demonstrates that whilst areas of further work are still envisaged, constructive engagement has occurred and is active and on-going. Indeed the Memorandum of Understanding now exists to which OCC is a signatory and is dated 26 February 2018, the date on which the Plan was submitted and subsequent to the representation from OCC. This MoU clearly states that there is a joint agreed position on cross-boundary transport matters which affects the area around the

Oxfordshire/Buckinghamshire border and builds on long established joint working between these authorities. The MoU recognises that due to the different models used by OCC and BCC it is not possible to test the impact of development within each of their areas on the other's surrounding areas in any detail. However, the forecast demand traffic flows on key cross-border routes can be exchanged and used to assess the strategic transport implications. These models can therefore be used to aid understanding on the strategic cross-boundary transport issues that exist as between the two highway authorities at a strategic level. The MoU recognises that future work between the relevant councils will assess the impact of proposed growth across all areas and identify and cost the mitigation measures and the funding streams necessary for their delivery. Overall, the MoU states that "all authorities agree that they are complying with the Duty to co-operate". In light of this recognition, any of the transport issues raised go to soundness of the plan not the duty to co-operate.

Hertfordshire County Council ("HCC")

In its regulation 19 representation HCC raise the issue of whether the impact of the level of growth proposed in AVDC's plan on the highway network in Hertfordshire is adequately known or considered. The representation states that it would "welcome closer engagement with AVDC/BCC to better understand transport and highway implications of growth and planned development, infrastructure needs and transport proposals in our respective authority areas". It is not suggested that there has not been engagement or that the duty to co-operate has not been satisfied.

AVDC look to BCC as highway authority for advice and information in relation to the transport implications of its plan and the development of any traffic modelling work. BCC has met with colleagues at HCC and shared with them the results of the countywide modelling and discussed potential impacts on the A41, particularly in the lower section towards the M25. BCC has also provided HCC with the growth data used in the countywide modelling for HCC to incorporate into their own transport modelling.

Traffic forecasting work is being undertaken by AVDC and DBC in association with their respective Highway Authorities, HCC and BCC, to assess the impacts of growth on the road networks. Forecasting work for Hertfordshire is being modelled by AECOM using the Countywide model (COMET) which is based on a SATURN and EMME platform, while forecasting work for Buckinghamshire is being modelled by Jacobs using the VISUM platform. It has been agreed that given the way the models are set up it would be difficult to use them to fully test the impact of growth in surrounding districts/counties in detail, but forecast demand traffic flows on key cross-border routes can be exchanged. It is therefore possible to ascertain the strategic transport implications arising from AVDC's plan and the areas within HCC that may be affected.

The latest run of COMET by HCC includes allowance for Local Plan housing growth in adjoining Buckinghamshire districts as supplied by Buckinghamshire County Council in Autumn 2017.

It is therefore considered that the impacts on the highway network referred to by HCC have been addressed through the exchange of information and discussions with BCC as they involved the development proposals within VALP.

As recognised by HCC, the key area to be assessed is the impact of growth on the A41. In this regard as AVDC we will continue to share our evidence and proactively work together to manage and mitigate any potential impacts which could arise. AVDC and the other authorities in Buckinghamshire have worked together to prepare traffic forecasts of the overall growth scenarios across the county (county-wide modelling). At this time, the Buckinghamshire county-wide modelling is showing limited additional flows into Dacorum as a result of the growth in Aylesbury Vale District but the “cumulative impacts on the highway and transport networks of planned growth” cannot yet be modelled due to lack of progress on new local plans. As far as DBC’s plans are concerned, AVDC are happy to work together as their plan progresses and deal with cumulative growth implications as they may arise.

The exchange of cross-border flows information will allow authorities to assess potential impacts on their respective road networks through more detailed junction modelling where necessary. Should these impacts require mitigation, then the authorities commit to work together on the identification and delivery of appropriate interventions.

The duty to co-operate has been satisfied in respect of HCC and HCC do not suggest otherwise. The point that they raise go to soundness not whether the DTC is satisfied.

O&H PROPERTIES

There is no duty to co-operate obligation on AVDC with O&H Properties. Their representations in so far as they relate to the Bletchley Southern By-Pass and the omission to provide a policy supporting this provision is a soundness, not a duty to co-operate, matter. No issue is raised by Milton Keynes Council (“MKC”) in relation to AVDC’s discharge of the DTC in so far as it relates to MKC, either in relation to the Bletchley Bypass or more generally. No issue is raised by MKC in relation to the omission in the VALP to require the bypass.

BCC have thoroughly engaged with Milton Keynes Transport Strategy team and responded to their Mobility Strategy.

In particular BCC have tested in detail the Bletchley By Pass as well as potential highway improvements in Milton Keynes as part of the VALP transport modelling. MKC are in support of a proposal for a Bletchley By-Pass in their LTP3 and AVDC have held duty to cooperate meetings with MKC and in relation to network modelling work to assist in the development of the MKC highway model. However, currently the level of development proposed does not give rise to a need for the bypass and MKC do not dispute that. This is therefore a matter which can be addressed in future joint working in relation to the early review of VALP, but it should be noted that the site allocations in VALP will not impede the delivery of a bypass in the future.

MKC have raised no objections to the VALP in relation to transport matters and continue to work closely with the Buckinghamshire councils. Indeed the Buckinghamshire Planning Policy Officers Group which meets every quarter is attended by the head of local plans from Milton Keynes and includes Buckinghamshire County Council officers. The three councils also work closely in relation to planning applications on the edge of Milton Keynes and these involve extensive discussions in relation to transport matters. AVDC has therefore worked cooperatively and effectively with MKC and BCC and will continue to do so. There is a MoU

dated 19 February 2018 which states that. No transport issues arising out of VALP have been raised by MKC and the points raised are soundness not duty to co-operate issues.

Thame Town Council and South Oxfordshire District Council

There is no duty to co-operate obligation upon AVDC with Thame Town Council. Nevertheless AVDC has consulted with Thame Town Council, in the preparation of its local plan, Thame being located within the administrative area of South Oxfordshire District Council with which AVDC does have a duty to do-operate. In its letter from Ryan Hunt it is stated that "SODC considers the [VALP] plan to be sound, legally compliant and meet the requirements of the duty to co-operate". A MoU between the two Councils has been signed and dated 23 February 2018.

AVDC has co-operated with South Oxfordshire District Council through a number of meetings during the progress of the councils' respective local plans regarding cross-border impacts including those on Thame, and its services and facilities. It is therefore incorrect to suggest that there have been no discussions on this matter as between AVDC and SODC.

Strong concerns were raised by South Oxfordshire District Council and Thame Town Council when the draft VALP suggested that a new settlement might be located at Haddenham. However, since the reduction of allocations in VALP to one site of 315 dwellings in Haddenham beyond existing commitments there are not now any cross border strategic matters arising from VALP that affect Thame. AVDC has agreed to address playing pitch concerns where impacts are defined but none have been defined so far. It is not considered that this is a strategic cross border matter but nonetheless engagement has taken place upon it with SODC and discussions will continue as necessary.

It is not considered that the matters raised are relevant to the DTC but rather go to the soundness of the plan.