

# Telford and Wrekin Local Plan Examination – MIQs

## Response of Wolverhampton City Council

### A LEGAL COMPLIANCE

#### **Matter 1 – Compliance with statutory procedures and legal matters**

**Issue 1: Has the Council met the statutory duty to co-operate ('DtC') as set out under sections 20(5)(c) and 33A of the Planning and Compulsory Purchase Act 2004 as amended? (We shall examine this issue having regard to the letter from Matthew Pennycook MP to the Planning Inspectorate dated 27 November 2025)**

***1. Has the Council submitted robust evidence to demonstrate that the duty to co-operate has been met?***

1.1 It is understood that, for Local Plans at examination, DtC is now a matter of soundness rather than legal compliance, as set out in the Pennycook letter dated 27 November 2025.

1.2 The Council has undertaken considerable, continuous engagement with all relevant Duty to Cooperate (DtC) bodies throughout the Telford & Wrekin Local Plan (TWLP) preparation process, including Wolverhampton City Council (WCC) and other Black Country Authorities (BCA), on the key DtC issues of housing and employment development land. Robust evidence has been submitted to demonstrate this, as detailed in the Duty to Cooperate Statement and Appendices (ED SC01 and SC01a).

1.3 The DtC evidence supporting the TWLP includes the Greater Birmingham and Black Country Housing Market Area Statement of Common Ground (SoCG), which sets out an agreed method for apportioning contributions from surrounding Local Planning Authorities, including Telford & Wrekin, towards the BCA and Birmingham's unmet housing needs. In an addendum to this SoCG, Telford & Wrekin Council (TWC) has confirmed that it is willing to sign an updated version of this SoCG that reflects the TWLP submission position.

1.4 An updated version of this SoCG which has officer approval is now available and is proposed for addition to the Examination Library. This version will now be going through formal approval processes for all signatory authorities, including TWC and WCC.

***2. Has the Council carried out effective engagement with neighbouring local authorities and other prescribed bodies on all relevant strategic matters? In particular has effective engagement taken place in respect of housing and employment needs and provision in a cross-border context?***

2.1 As set out in ED SC01a, WCC confirm that TWC have engaged constructively and effectively through meetings and written communication to identify and address cross-boundary development issues, and have therefore met the DtC in this regard. In particular, the principle of a housing offer to the BCAs, including Wolverhampton, and the fact that this offer increased during the Plan-making process and is now set out in the Plan which gives it more weight, demonstrates that engagement was effective.

***3. Are there any remaining areas of dispute between relevant authorities and bodies relating to the duty to co-operate and its fulfilment by the Council? If so, please give details? Are they resolvable in terms of soundness?***

3.1 As set out in our representation to the Telford & Wrekin Local Plan (TWLP) Regulation 19 consultation, if the TWLP housing offer to the Black Country Authorities (BCAs) is found to be sound at this Examination, it is also important that the TWLP should commit to an early review, including consideration of the need to accommodate housing shortfalls arising in neighbouring authorities.

3.2 It is appreciated that this early review would be under the new Development Plan system, the details of which are not yet known – including the geography and timetable for any Local and Strategic Development Plans covering the Telford & Wrekin area; and the precise role of Spatial Development Strategies in seeking to address housing shortfalls and redistribute housing surpluses, through the new Cooperation test.

3.3 Nevertheless, a logical trigger for this early review would be that all four BCAs have reached Draft Plan consultation stage (including proposed housing allocations) for Local Plans prepared under the 2024 NPPF or subsequent versions of the NPPF, and that a cumulative housing shortfall remains.

3.4 The Dudley, Sandwell and Wolverhampton new Plans will be prepared to a tight 30 month timetable under the Government's new Local Plan system, beginning in summer 2026, whilst the Walsall Local Plan is programmed for submission by December 2026 under the current Local Plan system. Detailed work carried out previously on the Black Country Plan strongly indicates that there will still be a significant cumulative housing shortfall following these Local Plan reviews.

3.5 Work has also commenced on the West Midlands Spatial Development Strategy (WM SDS), which covers the BCAs, Birmingham, Solihull and Coventry, following approval by the West Midlands Combined Authority in 2025.

3.6 Therefore, BCA Local Plan work, alongside WM SDS work, should be sufficient to demonstrate that all possible housing development sites, together with any other exporting opportunities, have been explored for the four BCAs and the wider WM SDS area, before any new Development Plan covering TWC considers the potential to address outstanding housing shortfalls.

3.7 An early review with this trigger is particularly important given: the current TWLP offer is modest relative to likely future BCA and Wolverhampton housing shortfalls; the fact that the TWLP area is not constrained by green belt; Telford's historic role as a new town designed largely to accommodate 'overspill' from the BCAs; and recent evidence of strong migration links between the BCAs and TWC as demonstrated in the GBBCHMA SoCG.

