

Meeting: **JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT**

Date: **12 DECEMBER 2014**

agenda item number: **4**

From: **JOINT OFFICER STEERING GROUP**

JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT – TERMS OF REFERENCE

Purpose of report

1. To consider updated Terms of Reference for the future operation of the Joint Committee.

Information and Advice

2. The Joint Committee on Strategic Planning and Transport has operated in its current form since 1998. It was originally established to oversee strategic planning and transport matters affecting Greater Nottingham following the City Council being granted unitary status. One of its most important tasks was to oversee the preparation of the Joint Structure Plan and subsequently to provide statutory advice to the Regional Planning Body on the content of the Regional Strategy. It also oversaw several iterations of the two Councils' Local Transport Plans and latterly has taken a lead on lobbying for improved rail services.
3. There have been many changes to strategic planning arrangements since the inception of the Committee, including the creation and subsequent abolition of Regional Strategies and more recently the introduction of the National Planning Policy Framework and the Duty to Cooperate on strategic planning matters.
4. These changes to strategic planning arrangements have led to the creation of their own governance structures, in particular the Joint Planning Advisory Board (JPAB), which oversees the production of strategic elements of Local Plans in Greater Nottingham and includes representation from the constituent District Councils. Inevitably, there is a large degree of overlap between the two bodies. Joint Committee has four representatives from each Council, whilst the Joint Planning Advisory Board has two.
5. As a result, at the September 2014 meeting of Joint Committee, a paper outlining three options for the future operation of Joint Committee was considered. It was resolved that 'Option 1 – Business as Usual' would be implemented and the Joint Committee would continue to run as at present.
6. However, the Terms of Reference of Joint Committee are due for review. The Terms of Reference (Protocol for the Operation of a Joint Committee on Strategic Planning and Transport in Greater Nottingham) were originally approved in 1998. They have been periodically reviewed to determine whether updating was required. They were last considered in March 2014. At that time the Terms of Reference of JPAB were under review. It was considered that it would be opportune to consider the operation of the Joint Committee in the light of the revised Terms of Reference

of JPAB, therefore no changes were made to the Terms of Reference of Joint Committee.

7. JPAB's revised Terms of Reference have now been established and it is considered that the Joint Committee's Terms of Reference should be updated to reflect these. Although the roles of Joint Committee and JPAB are different, in that Joint Committee has an oversight of minerals and waste planning and strategic transport matters, there is a high degree of overlap.
8. At the June 2014 meeting of Joint Committee it was resolved that the current arrangements for hosting the Committee should be changed from an annual to a two year cycle. The Terms of Reference therefore also require revision to this effect.
9. The suggested revised Terms of Reference (Protocol) for Joint Committee are attached in Appendix 1 and the current Terms of Reference of JPAB are attached in Appendix 2.

Recommendation

10. That approval be given to the revised Terms of Reference (Protocol) as set out in Appendix 1.

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APPENDIX 1

PROTOCOL FOR THE OPERATION OF A JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT IN GREATER NOTTINGHAM (REVISED DECEMBER 2014)

1. Nottinghamshire County Council and Nottingham City Council established a Joint Committee between the two Authorities to advise on strategic planning and transport matters in Greater Nottingham in April 1998.
2. This protocol agreed between the two Authorities on the establishment and operation of the Joint Committee requires a two yearly review, to ensure it remains relevant to the needs of the Joint Committee.

Role

3. The role of the Joint Committee is to advise the County Council and City Council on strategic planning and transport matters of mutual concern in order to facilitate the sustainable development and growth of Greater Nottingham and to assist in meeting the Duty to Cooperate (S110 of the Localism Act).

Responsibilities

4. The Joint Committee will be responsible for providing advice on strategic planning and transport matters, including advice in relation to the following:
 - (a) The preparation of coordinated and aligned Local Plans to provide a coherent and consistent planning framework across Greater Nottingham, including consideration of significant evidence base studies, such as Strategic Housing Market Assessments and Economic/Employment Land reports;
 - (b) Local Plans/Development Plan Documents and Strategies prepared by other Local Planning Authorities;
 - (c) The approach to, and use of, planning contributions arising from development in Greater Nottingham where this is of strategic importance;
 - (d) Liaison with statutory bodies;
 - (e) Liaison with the D2N2 Local Enterprise Partnership and Local Nature Partnership;
 - (f) Co-ordination of policies and management for minerals and waste matters, including the Local Aggregates Assessment and the joint Replacement Waste Local Plan ;
 - (g) The provision of infrastructure, including transport, social and green infrastructure, to support future growth, particularly where this has cross boundary implications;
 - (h) Nottinghamshire Local Transport Plan (2011 – 2026);

- (i) Nottingham Local Transport Plan (2011 – 2016);
 - (j) Strategic issues arising from the management of the Traffic Control Centre;
 - (k) Strategic issues arising from public transport operations, including rail services and High Speed 2, Bus Quality Partnerships and the development of the Nottingham Express Transit;
 - (l) Strategic issues arising from the District Councils' air quality review and assessments.
5. To assist the Joint Committee in carrying out the responsibilities in paragraph 4 above, they shall be entitled to receive information and to comment where they deem appropriate on other relevant matters including:
- (a) Planning applications within and adjacent to Greater Nottingham subject to the statutory timetable;
 - (b) Major development proposals in areas within and surrounding Greater Nottingham;
 - (c) Significant developments in the highway and transport networks;
 - (d) Major strategic initiatives of either Authority in Greater Nottingham e.g. tackling climate change.
 - (e) Economic strategies for Greater Nottingham;
 - (f) Government legislation, regulations, guidance and initiatives affecting strategic planning and transport matters.
6. The Joint Committee will have regard to the views and resolutions of the Greater Nottingham Joint Planning Advisory Board.

Area of Responsibility

7. The Joint Committee will be responsible for advising on strategic planning and transport matters across the whole area known as Greater Nottingham. Greater Nottingham is defined as the Nottingham Core Housing Market Area and Hucknall. It comprises the local authority areas of Broxtowe, Erewash, Gedling, Nottingham City and Rushcliffe, plus the Hucknall part of Ashfield and the relevant parts of Derbyshire and Nottinghamshire County Councils, however, the remit of this Committee excludes Erewash Borough in Derbyshire.

Relationship to Parent Authorities

8. The views of the Joint Committee will be communicated to the appropriate executive or other body or bodies of the County and City Councils as soon as possible following a resolution by the Joint Committee. Where the Joint Committee has expressed a view on particular matters

that is the subject of a report to any of the parent executive bodies, the recommendation of the Joint Committee will be included in the report.

Membership

9. The Joint Committee will be composed of four (4) members from each authority.
10. With the agreement of the Chair and Vice Chair, other members may be co-opted onto the Committee from time to time to assist the Joint Committee in carrying out the responsibilities in paragraphs 4 to 7 above. Such members will not have voting rights.
11. The appropriateness of co-opted members will be reviewed in accordance with paragraph 12.

Chair and Vice Chair

11. The Chair and Vice Chair will be appointed every two years and alternate between each Authority. The Vice Chair will always be appointed by the Authority not holding the Chair.

Frequency of Meetings

13. The Joint Committee will meet at least 4 times a year.

Organisation and Conduct of Meetings

14. Notice of meetings, circulation of papers, conduct of business at meetings and voting arrangements will follow the Standing Orders of the Authority which holds the Chair, or such Standing Orders which may be approved by the parent Authorities. Meetings will be open to members of the public.

Officer Support

15. The secretariat of the Joint Committee will alternate every two years between the two Authorities with the Chair. The costs of operating the Joint Committee will be met by the Council providing the secretariat services. The work of the Joint Committee will be serviced by a Joint Officer Steering Group which will assist the Chair and Vice Chair in setting agendas and brief them prior to meetings. They will also be responsible for communicating the views of the Joint Committee.

Disagreement Between the two Authorities

16. Where the members of the Joint Committee cannot arrive at a view on a particular issue which enjoys the support of the majority of members, that issue should be referred back to the relevant executive bodies of the two Councils.
17. Participation in the Joint Committee will not deter either Authority from expressing a dissenting opinion on any specific issue. The right to make representations at any consultation stage in the development plan making process or at an Examination in Public will not in any way be curtailed by membership of the Joint Committee.

Review

18. The role and operation of the Joint Committee will be kept under review, with a further complete review of its responsibilities and workings to be carried out not later than two years from the adoption of this revised protocol.

Protocol V5

APPENDIX 2

Greater Nottingham Joint Planning Advisory Board - Terms of Reference

1. Role

To facilitate the sustainable development and growth of Greater Nottingham¹ by discharging the Duty to Cooperate (S110 of the Localism Act), and advising the constituent Councils on the alignment of planning work across the Greater Nottingham area and other spatial planning and transport matters of mutual concern.

The Board Secretariat function will be provided by Broxtowe Borough Council.

2. Key Tasks

- 2.1 To advise on the preparation of coordinated and aligned Local Plans to provide a coherent and consistent planning framework across Greater Nottingham, including:
- Taking the current round of aligned Core Strategies and Local Plans through examination and adoption;
 - To advise on the review of aligned Local Plans, including:
 - Agreeing the objectively assessed housing needs of Greater Nottingham;
 - In the light of this housing need, agreeing future housing provision levels for each Council on which to base Local Plan reviews;
 - Commissioning further evidence on matters such as the future of the Greater Nottingham economy, environmental matters and infrastructure requirements;
 - Liaising with other Duty to Cooperate bodies;
 - Working with the D2N2 Local Enterprise Partnership (LEP) to ensure that new Local Plans and LEP objectives are aligned.
- 2.2 To ensure effective implementation and monitoring of prepared plans, particularly through:
- the preparation of site specific part 2 Local Plans where appropriate;
 - sharing best practice and experience in Development Management of significant proposals contained in the aligned plans, including joint working between Councils where those proposals have cross boundary implications;
 - identifying and addressing barriers to delivery of sites on which the ACS relies;
 - ensuring approaches to the Community Infrastructure Levy and planning obligations across the area are complimentary;
 - monitor the effectiveness of the aligned Plans in a consistent way, to ensure the aims and objectives are met;

¹ Greater Nottingham is defined as the Nottingham Core Housing Market Area and Hucknall. It comprises of the local authority areas of Broxtowe, Erewash, Gedling, Nottingham City and Rushcliffe, plus the Hucknall part of Ashfield and the relevant parts of Derbyshire and Nottinghamshire County Councils.

- ensuring the provision of infrastructure to support future growth, especially where this has impacts on more than one council area, particularly social and green infrastructure.
- 2.3 To identify and make links to other local funding sources and public / private investment programmes to further the work of the Joint Planning Advisory Board.
 - 2.4 To ensure coordination and delivery of individual, joint or cross boundary projects funded from partnership or other sources.
 - 2.5 To maximise and where appropriate advise on the best use of planning contributions arising from development.
 - 2.6 To disseminate progress updates, information on latest Government guidance and related initiatives, and national and local best practice, to all partners.
 - 2.7 To receive reports from the Executive Steering Group, and to advise on and review the activities of the Greater Nottingham Planning Manager.
 - 2.8 To provide strategic advice and direction to the development and delivery of the Local Sustainable Transport Fund programme and successor initiatives.
 - 2.9 To advise the strategic planning of the HS2 East Midlands Hub station at Toton, in order to maximise economic growth arising from the station, and to maximise connectivity opportunities with other parts of Greater Nottingham, and the wider area including Derbyshire, Leicestershire and Nottinghamshire and constituent District Councils.

3. Membership

One Council member covering each of the following remits:-

Ashfield District Council - Planning
 Broxtowe Borough Council - Planning
 Derbyshire County Council - Planning
 Derbyshire County Council - Transport
 Erewash Borough Council - Planning
 Gedling Borough Council - Planning
 Nottingham City Council - Planning
 Nottingham City Council - Transport
 Nottinghamshire County Council - Planning
 Nottinghamshire County Council - Transport
 Rushcliffe Borough Council - Planning

Member substitutes will be allowed.

Additional observer members as required (who may participate in discussion but will not be eligible to vote), to include bodies such as: LEP, Homes and Communities Agency, Natural England, English Heritage, Environment Agency, Nottingham Regeneration Ltd, and other representatives by invitation as required.

For matters concerning the strategic planning of HS2 (2.9 above), additional members (eg Leicestershire County, Leicester City, North East Leicestershire District Council, Mansfield District Council and Derby City Councils) and observer members (eg East Midlands Airport, Rail Companies) may be invited to ensure adequate representation across the wider area as determined by a future meeting of the Joint Planning Advisory Board. Additional members will be entitled to vote on matters relating to HS2, additional observer members may participate in discussion but will not be eligible to vote.

4. Context

The views of the Board will be communicated to the appropriate executive or other bodies of the constituent Councils as soon as possible following resolution by the Board. Where the Board has expressed a view on particular matters that is the subject of a report to any parent executive bodies, the recommendation of the Board will be included in the report.

Membership of the Board does not take over any responsibilities for any functions of the Councils which are properly dealt with elsewhere nor does it fetter any decisions constituent authorities make wish to make.

Nottingham City Council is the Responsible Body for Growth Point funding and hosts the Joint Planning Advisory Board secretariat.

Nottingham City and Nottinghamshire County Councils also operate a Joint Committee on Strategic Planning and Transport. The terms of reference of the Joint Committee will be reviewed to ensure minimisation of overlap between the two bodies.

The Joint Planning Advisory Board may advise on matters relating to strategic planning and transport delivery for consideration and determination by the Joint Committee.

5. Frequency of Meetings

The Board will meet on a quarterly basis, based on a timetable of key milestones. If necessary other Board meetings will be organised to meet specific programme deadlines/ requirements.

6. Chair and Vice Chair

The Chair will be provided by Broxtowe Borough Council here for the next 3 years of the programme, the Vice Chair will be Erewash Borough Council.

7. Organisation and Conduct of Meetings

Secretariat, notice of meetings, circulation of papers, conduct of business at meetings and voting arrangements will follow the Standing Orders of the authority which holds the Chair, or such Standing Orders which may be approved by the constituent authorities. Meetings will be open to members of the public.

8. Officer Support

The work of the Board will be advised by an Executive Steering Group which will assist the Chair and Vice Chair in setting agendas and brief them prior to meetings. The Executive Steering Group will be chaired by Nottinghamshire County Council and serviced by the Greater Nottingham Planning Manager.

9 Disagreement Between Constituent Councils

Where the members of the Board cannot arrive at a view on a particular issue which enjoys the support of the majority of Members, that issue should be referred back to the relevant executive bodies of the constituent Councils.

Participation in the Board will not deter any Council from expressing a dissenting opinion on any specific issue. The right to make representations at any formal preparation stage of the development plan making process will not in any way be curtailed by membership of the Board.

10 Review

The operation and Terms of Reference of the Board will be formally reviewed no later than April 2017 (3 years following the meeting of the Board adopting the Terms of Reference).