

**19 July 2018****Agenda Item: 13**

## **REPORT OF THE CORPORATE DIRECTOR, PLACE STATEMENTS OF COMMON GROUND**

### **Purpose of the Report**

1. To advise Members of the requirement for local planning authorities to prepare "Statements of Common Ground" and to seek approval for an approach for Nottinghamshire County Council to respond to statements of common ground prepared by neighbouring authorities.

### **Information**

2. Proposed changes to national planning policy as outlined in the recently issued draft revised National Planning Policy Framework seek to introduce a requirement that planning authorities prepare a "Statement of Common Ground", to evidence the approach to joint planning and liaison across local authority boundaries, in association with preparing Local Plans, which demonstrates how they have fulfilled the statutory "Duty to Co-operate".
3. The draft revised National Planning Policy Framework states that:  
  
*"In order to demonstrate effective and on-going joint working, strategic plan-making authorities should prepare and maintain one or more statements of common ground, documenting the cross boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency" (paragraph 29)*
4. A Statement of Common Ground is a written record of the progress made by strategic plan-making authorities during the process of planning for strategic matters across local authority boundaries. It documents where effective co-operation is and is not happening, and is a way of demonstrating at examination that plans are deliverable over the plan period and based on effective joint working across local authority boundaries. In the case of local planning authorities (including County Councils), it is also evidence that they have complied with the Duty to Co-operate.
5. The County Council will be asked to be an additional signatory to Statements of Common Ground prepared between authorities in Nottinghamshire in view of the significance of the County Council's responsibilities for transport and education infrastructure, its role in mineral and waste planning and the need to deal with any cross boundary issues with regard to infrastructure provision.
6. The County Council will also need to prepare a Statement of Common Ground when preparing minerals and waste plans. This will reflect how the authority has worked with

neighbouring authorities to address the need for and distribution of, minerals extraction and waste facilities. The District and Borough Councils within the County (and adjoining authorities where relevant) should also be signatories on the Statement of Common Ground for County Council minerals and waste plans as these will have a direct effect on the development strategy of their areas.

7. Some authorities are already anticipating the new policy by preparing Statements of Common Ground already to document the duty to co-operate. The County Council has already contributed to a draft Statement of Common Ground for the North Derbyshire and Bassetlaw Housing Market Area which Bolsover District Council are leading on, to help support their forthcoming Local Plan. This particular Statement of Common Ground raised no major issues in respect of County Council responsibilities and service areas.
8. An approach to how the County Council will endorse future Statements of Common Ground is therefore required prior to the implementation of the revised National Planning Policy Framework, scheduled for later this year.

### Key Issues

9. Authorities responsible for the Statement will need to decide early on the governance arrangements for preparing, maintaining and updating the Statement. Depending on what is contained in the Statement, certain statements may require Member-level sign-off whilst others might be delegated to Officers.
10. It is proposed that where Nottinghamshire County Council is asked to be a signatory to Statements of Common Ground prepared by one or more planning authorities, that these in general will be signed off at Corporate or Service Director level (or in their absence, the Planning Group Manager) with appropriate Member briefing, through the chair/ vice chair of Communities and Place Committee), but that:
  - a) if the relevant authority specifically requests Member level sign off, it is signed by the Chair of Communities and Place Committee following consultation with Officers;
  - b) if it is considered that Committee approval is necessary because of the content or implications for the authority or following a request from an elected Member, then the Statement will be reported to the next available Communities and Places Committee to seek approval.
11. The County Council will also need to prepare such a Statement as evidence of the co-operation which has taken place in development of its Minerals and Waste Plans. In general it is anticipated that the content of the Statement in the case of these Plans (covering the approach to mineral planning and matters which are often discussed through the Regional Aggregate Working Party) should be capable of being signed off at officer level. It is proposed that the County Council will require senior officer signatures from the County, Unitary or District Councils which it invites to agree a Statement of Common Ground. As such the County Council itself should sign such at Statement at Corporate or Service Director level (or in their absence, the Planning Group Manager).
12. The Statement of Common Ground will form an important supporting paper to the relevant Local Plan being prepared and it is proposed that the final version of any

Statement which the County Council initiates (such as will be prepared prior to the final publication of the new Minerals Local Plan) will be reported to the Communities and Places Committee to view and endorse.

### **Other Options Considered**

13. To not have an agreed approach in Nottinghamshire County Council being a signatory of Statements of Common Ground, or to have an arbitrary approach to the sign off of Statements of Common Ground. This would not provide other authorities, the public, Councillors and Officers with certainty as to how Nottinghamshire County Council will respond to requests to develop Statements of Common Ground.

### **Reason/s for Recommendation/s**

14. To ensure that the County Council has a clearly set out and agreed an approach to its involvement in the development of Statements of Common Ground prepared by partner authorities. And to the preparation of its own statements of common ground.

### **Statutory and Policy Implications**

15. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **RECOMMENDATION/S**

It is recommended that:

- 1) The Corporate Director (Place) be given delegated authority in consultation with the the Chair of the Committee to sign off Statements of Common Ground;
- 2) The Committee receives a report on the Statements of Common Ground for the Minerals and Waste Local Plans at the appropriate time.

**Adrian Smith**  
**Corporate Director, Place**

**For any enquiries about this report please contact:** Robert Portman, Planning Officer, Planning Policy Team, Tel: 0115 977 4291

### **Constitutional Comments [RHC 14/06/2018]**

16. Communities and Place Committee is the appropriate body to consider the contents of this report by virtue of its terms of reference.

### **Financial Comments [RWK 07/06/2018]**

17. There are no specific financial implications arising directly from the report.

## **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

## **Electoral Division(s) and Member(s) Affected**

- All