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| Meeting: | Joint Committee on Strategic Planning and Transport |
| Date: | 12 April 2024 |
| From: | Joint Officer Steering Group |

Future Operation of the Joint Committee on Strategic Planning and Transport

1 Summary

- 1.1 Once established, the East Midlands Combined County Authority (EMCCA) will become the Local Transport Authority, taking relevant powers from the constituent authorities. This will impact on the work of this Joint Committee, and consequently its operation requires review.

2 Background

- 2.1 The Joint Committee on Strategic Planning and Transport (JC) was established in April 1998 when Nottingham City Council became a unitary authority. The JC was subject to a Protocol (terms of reference) which has been kept under review, and amended at intervals as required. The latest version of the Protocol is attached at appendix A.
- 2.2 At the time of the establishment of the JC, there were statutory requirements to produce a Joint Structure Plan for the geographic county, to prepare Waste and Minerals Local Plans for the two authorities, and to prepare Local Transport Plans, which in the first instance was prepared as a joint Local Transport Plan. Structure Plans were replaced by Regional Plans, which were then subsequently abolished, and strategic planning became the remit of the Greater Nottingham Joint Planning Advisory Board (JPAB) in 2008. Individual Local Transport Plans were also subsequently produced.
- 2.3 Once established and following a transition period, the EMCCA will exercise functions of the constituent councils as local transport authorities in relation to how transport is planned, delivered and operated across the combined area. The EMCCA instead of the constituent councils will amongst other things:
- lead the development of an area wide Local Transport Plan to shape future local transport investment
 - co-ordinate a joint approach to highways asset management and define a key route network

- following a transition period, consolidate the public transport powers of the City and County Councils into the EMCCA for supported bus services, smart ticketing and passenger information
- 2.4 The two Councils will continue to be the Local Highway Authorities, and will also retain responsibility for delivery of local improvements. However, the EMCCA will assume responsibilities which are within the remit of this Joint Committee, including but not limited to Local Transport Plan preparation, public transport and management of main highway routes (Key Route Network).
- 2.5 The transfer of transport responsibilities mean that the operation of the JC needs to be reviewed.

JC Responsibilities

- 2.6 The JC's responsibilities are to provide advice on strategic planning and transport matters as set out at Paragraph 4 of the Protocol (Appendix A).
- 2.7 Some responsibilities will no longer be relevant as a result of the creation of the EMCCA, whilst others are primarily the responsibility of other bodies, such as the Greater Nottingham Joint Planning Advisory Board. However, core responsibilities remain.
- 2.8 Taking each responsibility in the Protocol in turn:
- (a) the coordination and alignment of Local Plans in the primary role of JPAB and both Councils are represented on this body.
 - (b) Statements of common ground (apart from mineral and waste local plans and the local plans prepared by individual LPAs) are within the remit of JPAB.
 - (c) Development Plan Documents fall within the remit of JPAB.
 - (d) Planning Contributions are the remit of each council, JPAB, or the EMCCA for transport matters.
 - (e) Liaison with statutory bodies will remain relevant where related to minerals and waste planning matters.
 - (f) D2N2 will be replaced by the EMCCA. The Local Nature Partnership may remain relevant for minerals and waste planning matters.

- (g) Minerals and waste planning matters will require ongoing governance.
- (h) Provision of infrastructure falls to the EMCCA (transport) and JPAB (social and green).
- (i) The EMCCA will prepare future Local Transport Plans.
- (j) Strategic issues arising from the Traffic Control Centre will be addressed through the Local Transport Plan, which lies with the EMCCA.
- (k) Public transport operations fall to the EMCCA.
- (l) Air quality issues are very largely the consequence of transport, and therefore relevant to the EMCCA.

2.9 Those responsibilities which are not transferring to the EMCCA, and do not fall within the remit of JPAB are statutory minerals and waste planning. The MCCA will have its own governance arrangements, whilst JPAB is a long established and mature partnership. In the interests of avoiding duplication and making best use of councillor and officer time, it is proposed the role of JC be recast to focus on minerals and waste planning where the two authorities retain a statutory role which requires close co-ordination and joint working.

2.10 There has always been a need for governance of mineral and waste planning matters which are the responsibility of both Councils but the format of the Joint Committee to date has only enabled summary updates to be provided. Other meetings have needed to be scheduled to brief the relevant Cabinet leads prior to any decisions being made. It should be noted that Derbyshire and Derby also have a Development Plans Joint Advisory Committee which meets to oversee mineral and waste planning work.

2.11 This will require a new Protocol / terms of reference to be agreed by each Council, and the frequency of meetings will also need to be agreed, most likely linked to key milestones in plan preparation rather than a regular cycle.

3 Recommendation

3.1 That Joint Cttee be recast to focus on its statutory role around minerals and waste Local Plan preparation.

3.2 That a new Protocol be prepared for agreement by both Councils.

4 Background papers referred to in compiling this report

4.1 None.

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Appendix A

PROTOCOL FOR THE OPERATION OF A JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT IN GREATER NOTTINGHAM

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 which cross administrative boundaries in order to facilitate the sustainable development and growth of Greater Nottingham.

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) The preparation and content of statements of common ground which seek to demonstrate effective and ongoing joint working between strategic policy making authorities
 - (c) Local Plans/Development Plan Documents and Strategies prepared by other Local Planning Authorities;
 - (d) The approach to, and use of, planning contributions arising from development in Greater Nottingham where this is of strategic importance;
 - (e) Liaison with statutory bodies;

- (f) Liaison with the D2N2 Local Enterprise Partnership and Local Nature Partnership;
- (g) Co-ordination of planning policies for minerals and waste matters, including the Local Aggregates Assessment and a Joint Waste Local Plan ;
- (h) The provision of infrastructure, including transport, social and green infrastructure, to support future growth, particularly where this has cross boundary implications;
- (i) Nottinghamshire Local Transport Plan (2011 – 2026) Strategy and Implementation Plan
- (j) Nottingham Local Transport Plan (2011 – 2026) – Strategy and Implementation Plan;
- (k) Strategic issues arising from the management of the Traffic Control Centre;
- (l) 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;
- (m) Strategic issues arising from air quality reviews and assessments within or impacting on Greater Nottingham.

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. Member substitutes are allowed.
- 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 18.

Chair and Vice Chair

12. 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 unless otherwise agreed by the Chair and Vice Chair.

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 V7 Agreed by Joint Committee December 2022