

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

Date: **26 SEPTEMBER 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 options 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 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 more 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, which oversees the production of strategic elements of Local Plans in Greater Nottingham, and also 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 March meeting of Joint Committee, it was resolved that no changes be made to the Terms of Reference of Joint Committee at that time, but that a future meeting of the Joint Committee consider a paper outlining options for its future operation.
6. Accordingly, three options are presented below, together with the advantages/disadvantages associated with them, in order to explore to what degree efficiencies can be made. The Terms of Reference (Protocol) of the Joint Committee are at Appendix A, whilst the Terms of Reference of the Joint Planning Advisory Board are at Appendix B.

Option 1 – Business as Usual

- 7 The Joint Committee could continue to run as at present.

Advantages:-

- Simplicity
- Continuity
- No issues over matters solely the responsibility of the County and City Councils, eg Waste Planning, Strategic transport

Disadvantages:-

- Continued overlapping responsibilities
- Multiple meetings
- No saving on administration/paperwork

Option 2 – Synchronised Meetings

- 8 The Joint Committee could meet before or after Joint Planning Advisory Board, at the same venue. Would require the agreement of the host of one of the meetings to host both.

Advantages

- Some streamlining of meetings (but Memberships of the two bodies not the same)
- No issues over matters solely the responsibility of the County and City Councils, eg Waste Planning, Strategic transport

Disadvantages

- One meeting overrunning would impact on the other (note different memberships)
- No saving on administration/paperwork

Option 3 – Merge Joint Committee and Joint Planning Advisory Board

- 9 The two bodies could be merged. This would require resolution of the host authority (rotates for Joint Committee, currently Broxtowe for the Joint Board), and Chairing arrangements (rotates for Joint Committee, currently Broxtowe for the Joint Board). The remit of Joint Board would need to be extended to include Strategic Transport and possibly Waste Planning.

Advantages

- Most streamlining of meetings
- Saving on administration/paperwork
- Wider input to decisions (District Councils, Derbyshire County Council)
- Synergies between the work areas of the two bodies

Disadvantages

- Matters solely the responsibility of the County and City Councils, eg Waste Planning, Strategic transport would need to be distinguished from other business
- Lower level of representation from the two Councils
- Slightly different geographies (JPAB includes Erewash)

- 10 Options 2 and 3 would require the cooperation and agreement of the Joint Planning Advisory Board. In the event that one of these options is considered appropriate, officers will approach the Chair and hosting body with a view to presenting a paper to Joint Planning Advisory Board.
- 11 The Joint Committee was established through agreement with the relevant Executive Bodies of the City and County Councils, and so implementing option 3 would be subject to the agreement of those Executive Bodies.

Recommendation

- 12 (a) That consideration be given to the options presented in paragraphs 6 to 9 of this report, and an option be recommended for further development;
- (b) should option 2 be considered appropriate, the host council of Joint Planning Advisory Board be approached to agree on an approach to the venue for the synchronised meetings;
- (c) should option 3 be considered appropriate, that the Chair of the Joint Planning Advisory Board be approached, with a view to presenting a paper to that Board to agree to the merging of responsibilities of the two bodies. If agreed, the relevant Executive Bodies of the City and County Councils be requested to ratify the decision.

Contact officers:

Sally Gill, Group Manager Planning
Policy, Planning and Corporate Services Department
Nottinghamshire County Council
Tel 0115 9696536
Email: sally.gill@nottscc.gov.uk

Matt Gregory, Policy and Research Manager
Development Department
Nottingham City Council
Tel: 0115 876 3974
Email: matt.gregory@nottinghamcity.gov.uk

APPENDIX A

PROTOCOL FOR THE OPERATION OF A JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT IN GREATER NOTTINGHAM (REVISED 2007)

1. Nottinghamshire County Council and Nottingham City Council (Unitary) established a Joint Committee between the two Authorities to advise on strategic planning and transport matters in Greater Nottingham in April 1998.
2. The protocol agreed between the two Authorities on the establishment and operation of the Joint Committee (agreed February 2000) 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 taking account of the best interests of the whole of Greater Nottingham.

Responsibilities

4. The Joint Committee will be responsible for providing advice on regional, sub-regional and strategic planning and on transport matters including the following:
 - (a) Preparation, review, modification and monitoring of strategic planning advice to the Regional Planning Body;
 - (b) Conformity of Local Development Documents, as agreed with the Regional Planning Body, and strategic planning and transport comments on Draft Development Plans prepared by other Local Planning Authorities;
 - (c) The implementation of the Greater Nottingham elements of the 3 Cities and 3 Counties Growth Point, including the preparing of bids for funding, agreeing programmes for implementation and keeping the implementation of the Growth Point under review;
 - (d) Co-ordination of policies and management for minerals and waste matters, including joint Local Development Documents;
 - (e) Greater Nottingham Local Transport Plan;

- (f) Strategic issues arising from the management of the Traffic Control Centre;
- (g) Strategic issues arising from Public Transport Operations, including Bus Quality Partnerships and the development of the Nottingham Express Transit;
- (h) Greater Nottingham Rail Development Plan;
- (i) Regional Spatial Strategies, relevant sub-regional studies, Regional Transport Strategy, the Integrated Regional Strategy and any other regional/sub-regional consultation/consultant studies insofar as they impact upon Greater Nottingham;
- (j) Strategic issues arising from the District Council air quality review and assessment.

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) Development Plan policies and strategy for the rest of the County;
- (b) Local Transport Plan for the rest of the County;
- (c) Planning applications within Greater Nottingham subject to the statutory timetable;
- (d) Wider aspects of Regional Spatial Strategies and Sub-Regional Studies;
- (e) Major development proposals in areas surrounding Greater Nottingham;
- (f) Significant developments in the highway and transport networks;
- (g) Major strategic initiatives of either Authority in Greater Nottingham e.g. tackling climate change.
- (h) Economic strategies for Greater Nottingham;
- (i) Government legislation, regulations and guidance affecting strategic planning and transport matters.

Area of Responsibility

6. The Joint Committee will be responsible for advising on strategic planning and transport matters across the whole area known as South Nottinghamshire in the Nottinghamshire and Nottingham Joint Structure Plan 2006. This area will be known as Greater Nottingham and its boundaries are illustrated on the attached Map 1. In undertaking the responsibilities for Growth Point in paragraph 4 (c) above, the area will also include Erewash Borough, to coincide with the boundaries of the Nottingham Core Housing Market Area element of the 3 Cities and 3 Counties Growth Point.

Relationship to Parent Authorities

7. 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

8. The Joint Committee will be composed of four (4) members from each authority.
9. 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 6 above. Such members will not have voting rights.
10. The appropriateness of co-opted members will be reviewed in accordance with paragraph 18.

Chair and Vice Chair

11. The Chair and Vice Chair will be appointed in alternate years by each authority. The Vice Chair will always be appointed by the authority not holding the Chair.

Frequency of Meetings

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

Organisation and Conduct of Meetings

13. 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

14. The secretariat of the Joint Committee will alternate annually 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

15. 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.
16. 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 a formal deposit stage, at the Examination in Public, at a Public Local Inquiry or at any consultation stage in the formal development plan making process, will not in any way be curtailed by membership of the Joint Committee.

Review

17. 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 V4

MAP 1



APPENDIX B

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).