

report

meeting	Cabinet	
date	25 July 2007	agenda item number

REPORT OF THE LEADER OF THE COUNCIL

Proposed Service Level Agreement between Nottinghamshire County Council and the East Midlands Regional Assembly for 2007/8 to support the work of the Regional Planning Body

Purpose of Report

1. To seek approval of a Service Level Agreement between Nottinghamshire County Council and the East Midlands Regional Assembly setting out the roles and responsibilities of the respective authorities in relation to Section 4(4) of the Planning and Compulsory Purchase Act 2004.

Information and Advice

2. Under the Planning and Compulsory Purchase Act the Assembly as Regional Planning Body is obliged to seek the advice of principal authorities (County and Unitary authorities) in the preparation of the Regional Spatial Strategy (RSS).
3. In order to formalise working relationships between the East Midlands Regional Assembly and the Section 4 (4) authorities during the preparation of the Draft RSS, a series of Service Level Agreements were agreed. At its meeting on the 14th of February 2006 Cabinet approved a Service Level Agreement for the period of 2006/2007 which is set out in appendix A.
4. Although the Service Level Agreement related primarily to the preparation of the Regional Plan, it also covered continuing joint working arrangements.
5. The Draft RSS was published in Septemeber 2006 and was subject to public consultation. Cabinet considered a report on this on the 6th December 2006. There have been subsequent discussions with the Chief Executive, Leader and Leaders of the minority parties on RSS matters which have been reported to Cabinet. The Examination in Public of the Draft RSS ended on the 19th July 2007. The Panel's report is expected September 2007.

6. As a result the Service Level Agreement has now been revised to cover the progression of the RSS. The revised Agreement is set out in appendix B.
7. The Service Level Agreement covers core regional planning activities and sub-regional working related to the Regional Plan and the monitoring of the Agreement itself.
8. The core activities on the regional plan include:
 - Survey and technical information for Nottinghamshire as indicated in the 2004 Act;
 - Contributing to a range of regional officer working groups;
 - Regional policy development
 - Sub regional policy development
 - Inter-regional liaison
 - Statutory consultee responsibilities
 - Monitoring.
9. A detailed work programme will be drawn up for each of the areas of responsibility covered in the Service Level Agreement.
10. The cost of work to fulfil the County Council's Section 4(4) responsibilities will be met from existing budgets.

Statutory and Policy Implications

11. This report has been compiled after consideration of implications in respect of finance, equal opportunities, personnel, Crime and Disorder and those using the service. Where such implications are material; they have been described in the text of the report.

Recommendation

12. The Draft Service Level Agreement between the East Midlands Regional Assembly and Nottinghamshire County Council for 2007/8 to support the Regional Spatial Strategy and joint working arrangements (Appendix B) is approved. This will be the basis for the County Council fulfilling its responsibilities as a Section 4(4) Authority under the Planning and Compulsory Purchase Act 2004.

David Kirkham
Leader of the Council

Director of Resources Financial Comments

The contents of this report are duly noted, there are no financial implications arising. [DJK 13.7.07]

Legal Services' Comments

The decision falls within the delegation to Cabinet. [9.7.07]

Background Papers Available for Inspection

None.

Electoral Divisions Affected

All

ps.sg/ps13
9 July 2007

Appendix A

Service Level Agreement between the East Midlands Regional Assembly and Nottinghamshire County Council for 2005/6 and 2006/7 to support the Regional Plan Review.

1. Introduction

- 1.1 Under the provisions of the Planning and Compulsory Purchase Act, the Regional Planning Body will be required to seek advice from the strategic planning authorities (known as the section 4(4) authorities) and can enter into arrangements with them to deliver specified elements of strategic planning work which contribute to the review of the Regional Spatial Strategy.
- 1.2 This Service Level Agreement sets out the roles and responsibilities of the East Midlands Regional Assembly and of Nottinghamshire County Council in this regard. The Regional Assembly is the Regional Planning Body for the East Midlands region; Nottinghamshire County Council is a Section 4(4) authority within the East Midlands region, covering the local authority areas of Ashfield, Bassetlaw, Broxtowe, Gedling, Mansfield, Newark & Sherwood and Rushcliffe. The Regional Spatial Strategy for the East Midlands will be known as the East Midlands Regional Plan or RSS8. The timetable for the preparation of the Regional Plan is contained in the Appendix.

2. Core Activities

- 2.1 Nottinghamshire County Council will collaborate in partnership with the Regional Assembly to enable it to prepare the Regional Plan. This will include the activities set out below, but will include other specific tasks as appropriate on a regional and sub-regional basis that will be required to ensure that a robust spatial plan is produced. The County Council will liaise closely with district councils and put in place (and advise the Regional Assembly of) officer working arrangements for the derivation of housing and employment land provision and involvement in sub-regional work.

Survey of the Area

- 2.2 As a Section 4 (4) authority, and also to facilitate the development of the Regional Plan, Nottinghamshire County Council will carry out the following basic survey and analysis tasks:
 - survey the social, economic and environmental make up of the county and any changes in the factors surveyed;
 - analyse census information for the county and identify and comment on key trends.

- 2.3 To facilitate the development of the Regional Plan, Nottinghamshire County Council will, as appropriate, prepare reports relating to the above and break down county wide data by local authority.

Cross-Boundary Liaison

- 2.4 Nottinghamshire County Council will liaise with the adjoining East Midlands Section 4 (4) authorities of Derbyshire County Council, Leicestershire County Council, Lincolnshire County Council and Nottingham City Council (and any local planning authorities as appropriate) as well relevant authorities in the Yorkshire and the Humber region to consider cross boundary linkages and relationships, particularly spatial relationships associated with the preparation of the Regional Plan.

Housing Provision in the Regional Plan

- 2.5 Within a policy context set out by the Regional Assembly, Nottinghamshire County Council will advise the Regional Assembly on draft Housing Market Area and district level housing provision figures for the period up to 2026 in Nottinghamshire. This should also take account of the latest information on urban capacity, labour market issues, housing markets, affordable housing needs and environmental considerations.

Employment Provision in the Regional Plan

- 2.6 Within a policy context set out by the Regional Assembly and *emda*, Nottinghamshire County Council and its economic partners will advise the Regional Assembly on the approach to job and/or employment land provision for the period up to 2026 by local authority area.

Input to Officer Support Groups

- 2.7 Nottinghamshire County Council will contribute to relevant officer support groups to prepare the Regional Plan and to develop regional policy. These officer groups are listed below, and also include any task oriented groups set up by these groups that directly relate to the preparation of the Regional Plan.

- Spatial Planning Regional Officer Group
- Review Strategy Group
- Housing Advisory Group
- Transport Advisory Group
- Environment Advisory Group
- Monitoring and Review Advisory Group
- Spatial Economy Advisory Group
- Regional Technical Advisory Body (RTAB) on Waste
- Regional Aggregates Working Party (RAWP)

A work programme for all of these groups, as it relates to how these groups will feed into the Regional Plan process, will be prepared by the Regional Assembly.

Monitoring

- 2.8 Nottinghamshire County Council will work with the Regional Assembly, their appointed consultants and the district councils to collect and collate the Core Monitoring Indicators set out in RSS8 and the annual Monitoring Manual.

3. Sub-Regional Working

- 3.1 The Regional Plan will contain a number of Sub-Regional Strategies, addressing specific issues in particular areas. Two such strategies will cover Nottinghamshire:

Three Cities SRS

To be developed jointly with Leicestershire County Council, Derbyshire County Council, Derby City Council, Leicester City Council and Nottingham City Council, with support from *emda* and relevant district councils, social, economic and environmental interests. The key objectives of the SRS are:

- To promote sustainable patterns of development and movement within and between the three Principal Urban Areas and other settlements within the sub-area and beyond;
- To promote the use of public transport for both local and inter-urban movements;
- To improve the quality of the environment, including the provision of semi-natural green space in urban areas;
- To improve the collective economic performance of the sub-area and reduce deprivation;
- To optimise the economic benefits of Nottingham East Midlands Airport in a way that is consistent with sustainable patterns of development and movement;
- To consider the extent of Green Belt designations in a way that is consistent with PPG2 and Policies 2 and 3 of RSS8.

Northern SRS

- 3.2 To be developed jointly with Derbyshire County Council with support from *emda*, and relevant district councils, social, economic and environmental interests. The key objectives are to:
- significantly strengthen the Sub-Regional Centres of Mansfield, Chesterfield and Worksop by providing new jobs, services and facilities in an around their urban areas;

- provide jobs and services in and around other settlements that are accessible to a wider area or service particular concentrations of need;
- promote environmental enhancement as a fundamental part of the regeneration of the sub-area; and
- protect and enhance the natural and cultural assets of the sub-area.

3.3 The focus of sub-regional work should be on adding value to the 'core' Regional Plan, providing additional guidance where necessary to inform development of LDFs, Local Transport Plans and other relevant strategies. It is not envisaged that each SRS should be in excess of 10-15 pages (including relevant diagrams). However to be robust, each SRS will need to be informed by:

- an appropriate level of stakeholder and public consultation;
- sufficient technical work to justify policy;
- consideration of the results of a sustainable development appraisal consistent with that used for the core Regional Plan (to be undertaken using a framework supplied by the Regional Assembly via LUC).

3.4 Issues on which early consultation will be required with key stakeholders in the Three Cities Sub-area include:

- consideration of the extent of the Nottingham-Derby Green Belt, identifying the broad locations where revisions should be made, and explanation of the likely implications for development form;
- consideration of the merits of a range of strategic designations, such as AONB designation for Charnwood Forest, including the likely extent of any Green Belt, and explanation of the likely implications for development form;
- suggested revisions and new Green Wedges, identifying the broad locations where revisions should be made and where there are sound strategic planning reasons for designating new Green Wedges.
- suggested revisions to the Policy Areas around Principal Urban Areas defined in the respective Structure Plans, based on up to date information and analysis
- consideration of complementary release of city centre sites for retail and leisure development within the Principal Urban Areas.

- priorities for transport improvements and investment consistent with the regional advice on transport prioritisation to be submitted to Government in January 2006, including an assessment of the broad land use implications of proposed transport improvements
- proposals for additional environmental and green infrastructure of a strategic nature

3.5 Issues on which early consultation (late February 2006 to late May 2006) will be required with key stakeholders and members of the public in the Northern Sub-area include:

- consideration of the relationship between the Northern sub-area and the 'City Region' strategies that are being developed as part of the 'Northern Way'
- consideration of the extent current Green Belt designations, identifying the broad locations where revisions should be made, and an explanation of the likely implications for development form;
- consideration of the roles and functions of settlements beneath the identified Sub-Regional Centres
- priorities for transport improvements and investment consistent with the regional advice on transport prioritisation to be submitted to Government in January 2006, including an assessment of the broad land use implications of proposed transport improvements
- proposals for additional environmental and green infrastructure of a strategic nature

4. Monitoring of the Service Level Agreement

4.1 The Regional Assembly and Nottinghamshire County Council will agree performance indicators that will be used to monitor the operation of this Service Level Agreement.

Andrew Pritchard
Director of Planning and Transport, East Midlands Regional Assembly

Mick Burrows
Director of Culture and Community
Nottinghamshire County Council

26 June 2006

Appendix B

Nottinghamshire County Council

Service Level Agreement between the East Midlands Regional Assembly and Nottinghamshire County Council for 2007/8 to support the work of the Regional Planning Body

1. Introduction

- 1.1 Under the provisions of the Planning and Compulsory Purchase Act 2004, the Regional Planning Body is required to seek advice from authorities named under Section 4(4) of the Act, and can enter into arrangements with them to deliver specified elements of strategic planning work which contribute to the duties of the Regional Planning Body, in particular the review, implementation and monitoring of the Regional Spatial Strategy.
- 1.2 Ministers have made it clear that Government financial support for strategic planning authorities will not be reduced despite the loss of the structure plan function. It is expected that the activities outlined below will be contained within the authority's programme of strategic planning and would have been carried out as part of the structure plan process within the resources of the authority.
- 1.3 The Assembly's forward work programme is set out in its Business Plan for 2007-10, available on the following web-site: www.emra.gov.uk, and forms the context within which this Service Level Agreement (SLA) has been developed.

2. Survey of the Area

- 2.1 One of the fundamental components of strategic planning is good quality information about social, economic and environmental conditions in the plan area under consideration. Under this SLA, **Nottinghamshire County Council** will use its strategic planning resources to carry out the following basic survey and analysis tasks in a form agreed by the Monitoring and Review Advisory Group in consultation with the relevant regional officer advisory groups:
- survey the social, economic and environmental make up of the county outside Nottingham City and any changes in the factors surveyed;
 - analyse such information and identify and comment on key trends.
- 2.2 To facilitate the development and implementation of the Regional Plan **Nottinghamshire County Council** will be asked to organise the output from surveys and analysis on a district basis so that it can inform the East Midlands Regional Plan by being aggregated on the basis of Housing Market Area (HMA) groupings and also form part of the evidence base of district council LDDs.

3. Regional Policy Development

3.1 **Nottinghamshire County Council** will contribute to relevant officer advisory groups which support the review of the Regional Plan and help develop regional policy, including contributing to the steering group for regional research projects and to regional responses to Government consultations. Each of these officer groups meets between 4 and 6 times a year. With the exception of the Regional Aggregates Working Party (RAWP), which is directly funded by DCLG, secretariat services are provided by the Regional Assembly. Most groups are chaired by a local authority representative who is appointed on an annual basis. Arrangements for 2007/8 are set out below:

- Spatial Planning Regional Officer Group (EMRA Chair)
- Review Strategy Group (EMRA Chair)
- Housing Advisory Group (Derbyshire CC Chair)
- Transport Advisory Group (Derbyshire CC Chair)
- Environment Advisory Group (Derby City Chair)
- Monitoring and Review Advisory Group (Nottinghamshire CC Chair)
- Spatial Economy Advisory Group (Northamptonshire CC Chair)
- Regional Technical Advisory Body on Waste (RTAB) (Leicestershire CC Chair)
- Minerals Advisory Group (to be confirmed)
- Regional Aggregates Working Party (RAWP) (Leicestershire CC Chair)

4. Sub-Regional Policy Development

4.1 The Draft Regional Plan contains a number of Sub-Regional Strategies (SRS), addressing specific issues in particular areas. Two such strategies are partially within the **Nottinghamshire County Council area**:

- **Three Cities SRS**, including **Nottingham City, Ashfield District (part), Broxtowe, Gedling and Rushcliffe**: and
- **Northern SRS**, including **Ashfield (part), Bassetlaw, Mansfield, Newark and Sherwood**.

4.2 **Nottinghamshire County Council** will work with other relevant Section 4(4) Authorities and local planning authorities to develop partnership working at both officer and member level to oversee the implementation and monitoring of both Strategies. The focus of this work should be at the HMA level, with linkages made to the Sub-area level as appropriate.

5. Inter-Regional Liaison

5.1 **Nottinghamshire County Council** will liaise with other relevant Section 4(4) authorities in Yorkshire and Humber, to consider cross-boundary linkages and relationships. In particular, **Nottinghamshire County Council** will take the lead in liaising with **Yorkshire and Humber**.

6. Monitoring

6.1 **Nottinghamshire County Council** will work with the Assembly to co-ordinate and validate local authority input from Nottinghamshire, excluding Nottingham City, into the RSS Annual Monitoring Report, and contribute to the data commentary.

7. Statutory Consultee Responsibilities

7.1 **Nottinghamshire County Council** will remain a statutory consultee in relation to the adopted Nottinghamshire and Nottingham Joint Structure Plan until the approval of the East Midlands Regional Plan (probably-mid 2008). After that point, **Nottinghamshire County Council** will cease to be a statutory consultee on strategic planning matters, but will still retain a role in respect of other County Council functions, including Transport Authority, Education Authority, Minerals and Waste Planning Authority and Planning Authority for County Council development.

7.2 In addition, the Assembly will seek the informal views of **Nottinghamshire County Council** on those planning applications and local development documents which are deemed material to the delivery of the East Midlands Regional Plan, including the **Three Cities** or **Northern Sub-Regional Strategies** within it.

8. Regional Plan Examination in Public

8.1 As well as making contributions to the Regional Plan Examination in Public in its own right as it deems appropriate, **Nottinghamshire County Council** will also provide technical support to the Regional Planning Body on the following issues:

- distribution of housing provision within Nottinghamshire; and
- Nottinghamshire elements of the Three Cities and Northern SRs
- other relevant issues via the regional officer advisory groups

4. Monitoring of the Service Level Agreement

4.1 The Regional Assembly and Nottinghamshire County Council will agree performance indicators that will be used to monitor the operation of this Service Level Agreement.