

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

Date: **27 June 2014**

agenda item number:

From: **JOINT OFFICER STEERING GROUP**

## **NOTTINGHAMSHIRE AND NOTTINGHAM SERVICE LEVEL AGREEMENT FOR THE PROVISION OF MINERAL PLANNING AND WASTE PLANNING SERVICES**

### **Purpose of report**

1. To inform Committee of a Service Level Agreement (SLA) for the provision of Mineral Planning and Waste Planning Services.

### **Information and Advice**

2. The County and City Councils have successfully been working together on the preparation and examination of the Waste Local Plan, Part 1: Core Strategy. Following the formal adoption of this document in December 2013 joint work has commenced on the preparation of the Waste Local Plan, Part 2: Site Specific and Development Management Policies.
3. The City Council is currently preparing the Local Plan for Nottingham City which, as required by the National Planning Policy Framework, includes policies relating to Minerals planning. As part of the evidence base for the minerals provision policies a Local Aggregates Assessment (LAA) is required.
4. An LAA has been produced by the County Council for Nottinghamshire and discussions and agreements have been reached for the County Council's officers to prepare a joint LAA covering both the City and County utilising information supplied by the minerals industry and the British Geological Survey (BGS).
5. In light of the work involved in both the preparation and monitoring of the Waste Local Plan and the agreed support from the County Council for Minerals planning services a Service Level Agreement detailing the Minerals Planning and Waste Planning aspects of the work involved has been drawn up (attached as Appendix 1).

### **Recommendation**

It is recommended that the Joint Committee note the contents of this report.

### **Contact officers:**

Lisa Bell, Team Manager - Planning Policy  
Nottinghamshire County Council  
Tel: 0115 977 4547  
Email: [lisa.bell@nottscc.gov.uk](mailto:lisa.bell@nottscc.gov.uk)

Matt Gregory, Policy and Research Manager  
Nottingham City Council  
Tel: 0115 876 3974  
Email: [matt.gregory@nottinghamcity.gov.uk](mailto:matt.gregory@nottinghamcity.gov.uk)

## **APPENDIX 1**

## **NOTTINGHAMSHIRE COUNTY COUNCIL, PLANNING POLICY SERVICE LEVEL AGREEMENT WITH NOTTINGHAM CITY COUNCIL**

**JUNE 2014**

### **AGREEMENT**

#### **1. PARTIES TO THE AGREEMENT**

- 1.1 This Service Level Agreement (SLA) dated **XXXX** is between Nottinghamshire County Council (the Service Provider) and Nottingham City Council (the Customer).

#### **2. SCOPE OF THE AGREEMENT**

- 2.1 The agreement is for the provision of Mineral Planning and Waste Planning Services as detailed and priced in Sections 9 and 10.

#### **3. DURATION OF THE AGREEMENT**

- 3.1 This agreement commences on the date of the agreement and remains in place unless amended or superseded by a revised agreement in writing between the parties.

#### **4. MONITORING OF THE AGREEMENT**

- 4.1 There will be regular meetings or updates between the Service Provider and the Customer to review the performance of the agreement. The date and frequency of these meetings will primarily reflect milestones in the production of the Minerals Local Plan and Waste Local Plan but will normally take place on a monthly basis.

#### **5. BILLING ARRANGEMENTS**

- 5.1 The charges for services (see section 10) to prepare and publish the joint Local Aggregates Assessment including the core services relating to Minerals planning (see section 9) will be made annually in September.

The charges relating to the preparation of the joint Waste Local Plan: Part 2 (see section 9) will be at a rate of 28% of the total costs. The charges will be made on an ad hoc basis following each key stage of the Waste Local Plan progression as set out in Appendix 1.

- 5.2 The charges for other ad hoc services relating to Minerals and Waste

planning, not covered by sections 9 and 10, will be made during the year on terms to be agreed between the parties.

**6. PROVISION FOR INFLATION**

- 6.1 The charges specified in section 10 may be adjusted annually to reflect any percentage changes in pay and oncost rates.

**7. DISPUTES**

- 7.1 The parties will use their best endeavours to resolve by agreement any disputes as to the working of their agreement. In the unlikely event of failure to agree, the issue shall be referred for determination by a mutually agreed arbiter. This is likely to be appropriate Managers in the first instance followed by Directors and in the event of a continuing dispute Chief Executives. However, it is recognised that to be effective this service must be a meaningful partnership between the Service Provider and the Customer. Every effort will therefore be made by the parties to this agreement to avoid adversarial behaviour.

**8. PLANNING EXPERTISE**

- 8.1 Available Planning Services Expertise offered by the Service Provider

**Title**

- Group Manager – Planning;
- Team Manager, Planning Policy;
- Principal Planning Officer (Planning Policy - Waste)
- Principal Planning Officer (Planning Policy – Strategic Planning);
- Principal Planning Officer (Planning Policy – Strategic Planning);
- Senior Planning Officer (Planning Policy – Minerals);
- Planning Officer (Minerals and Waste Planning Policy);
- Technical Support Officer (Minerals and Waste).

**9. CORE SERVICES TO BE PROVIDED**

- 9.1 The Core Services to be provided by the Service Provider are as follows:-

**Minerals Planning**

- Identification of the minerals present in Nottingham City utilising the maps produced by the British Geological Survey (licence to be arranged by Nottingham City Council);
- Representing the City Council at the quarterly East Midlands Aggregates Working Party (EMAWP) meetings;
- Monitoring all Minerals related planning applications (assuming a working arrangement for information sharing has been established between the City and County Councils);
- Completion of the annual aggregates survey and submission to the

EMAWP;

- Reviewing the annual report produced by the EMAWP in relation to accuracy of information; and
- Annually updating and publishing a joint Local Aggregates Assessment.

Waste Planning (based on City Council support as outlined in section 9.3)

- Preparation of a joint Waste Local Plan (Part 2): Site Specific Allocations and Development Management Policies;
- Submission of the joint Waste Local Plan (Part 2): Site Specific Allocations and Development Management Policies to the Secretary of State for examination in public;
- Representation at the formal examination of the joint Waste Local Plan (Part 2): Site Specific Allocations and Development Management Policies;

9.2 The service provider will abide by published corporate performance standards.

9.3 The Services to be provided by the Customer are as follows:-

Planning Officer and Planning Manager support for the preparation of a Waste Local Plan of up to an average of 7.24 hours per week - dependant on the workload generated by the Waste Local Plan. All duties undertaken to be solely related to the Waste Local Plan and Minerals planning as indicated above. Support from up to one full time equivalent Planning Officer/Planning Manager to be provided during the Examination process.

## 10. **CHARGES FOR SERVICES PROVIDED**

10.1 The fixed price for the Minerals core service including the preparation and annual updates of the joint Local Aggregates Assessment (see section 9) is £740 per annum adjusted by inflation in accordance with section 6.1 of this Agreement when appropriate.

10.2 Prices for additional ad hoc services relating to Minerals and Waste planning are available on request.

10.3 Services relating to the preparation, publication and adoption of the Waste Local Plan (Part 2): Site Specific Allocations and Development Policies will be charged at 28% of the total costs. This rate assumes provision of planning officer support as set out in section 9.3.

10.4 The rates specified in this SLA are based on apportioned costings. Any change to the level of service provided would be the subject of a re-negotiation of terms.

## 11. **PERFORMANCE AGAINST AGREED TARGETS**

11.1 The Service Provider will deliver the services outlined in section 9 as follows:

Minerals:

- Production and publication of the Local Aggregates Assessment will be completed annually in July;
- Other Minerals services (outlined in Section 9) will be undertaken on an ongoing basis.

Waste:

- Production and adoption of the Waste Local Plan (Part 2): Site Specific Allocations and Development Management Policies will be in accordance with the milestones set out in Appendix 1

SIGNED:

.....  
Authorised Officer for the Service Provider

SIGNED:

.....  
Authorised Officer for the Customer

## **APPENDIX 1**

### **WASTE LOCAL PLAN (Part 2): SITE SPECIFIC ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES – KEY MILESTONES**

- Issues & Options public consultation;
- Preferred Approach public consultation;
- Submission Draft public consultation;
- Submission to Secretary of State;
- Examination;
- Adoption