

meeting **JOINT COMMITTEE ON STRATEGIC PLANNING & TRANSPORT**

date **21st December 2007** agenda item number

from: **JOINT OFFICER STEERING GROUP**

Report

Review of the Protocol

Purpose of Report

- 1 At the meeting of 17th September 2007, Joint Committee recommended that the “Protocol For The Operation of a Joint Committee on Strategic Planning and Transport in Greater Nottingham” (the Protocol) be revised to incorporate responsibilities with regard to the New Growth Point (NGP), and invite District Members onto the Committee for NGP items. Unfortunately, it has since emerged that co-opting Members onto a committee for just part of its business is not legally possible, so this report presents an updated Protocol and recommends a separate body be convened for NGP governance.

Introduction

- 2 The operation of this Joint Committee is governed by a Protocol, which is subject to a biennial review. At its meeting on 20th October 2006, the Joint Committee resolved to delay this biennial review, due to the demise of the Structure Plan and its replacement by more formal sub-regional partnership work feeding into both the Regional Spatial Strategy (RSS) and the 3 Cities Sub Regional Strategy, and due to emerging thinking on conurbation wide governance. A copy of the existing Protocol is attached at appendix 2.
- 3 At its meeting of 19th January 2007, the Joint Committee agreed the role of advising on early work of developing the NGP bid. In order to meet Government requirements that the NGP be locally supported and implemented (in which District involvement is essential) a more permanent and inclusive political governance is required with the direct involvement of

District Council Members¹ (and Derbyshire County Council). This approach was recommended by the Committee at its meeting of 17th September 2007.

- 4 Legal advice has since confirmed that Membership of a Committee cannot be just for particular items of that Committee's business. Accordingly, the Protocol has been revised to bring it up to date, and also include reference to NGP, but a separate arrangement is necessary for District Member involvement in NGP governance.

Proposals

- 5 A proposed amended Protocol is attached at appendix 1. It includes the NGP within the remit of the Joint Committee, and has been generally updated to reflect the demise of Structure Plans and the new role of the Regional Spatial Strategy. The make up of the Committee will be unchanged, and it will remain an advisory Committee, with decisions being referred as recommendations back to the Executive Bodies of the constituent authorities.
- 6 The final decision on the make up and constitution of any revised Joint Committee rests with the two Councils, and it is recommended that the revised Protocol be referred to these Bodies for adoption.
- 7 In the light of the legal position noted above, it is also recommended that a separate body be convened, to be known as the Nottingham Core Housing Market Area (HMA) Programme Board, with representatives of District Councils and Derbyshire County Council. Having a separate governance arrangement will allow the opportunity to invite other interested bodies, such as Natural England, the Environment Agency and the Highways Agency to participate in the process. The HMA Board will be supported by an officer Project Board.
- 8 The detailed make up and terms of reference of the Board will need to be established to allow decisions to be made on NGP funding expenditure by the end of March, but it will have to be broadly consistent with similar Boards being set up in Derby and Leicester HMA.
- 9 Recommendations of the Nottingham Core Housing Market Area Programme

¹ The 3 Cities Sub Regional Strategy element of the RSS, and the New Growth Point covers the entire Nottingham Core Housing Market Area, and therefore includes Erewash District in Derbyshire, in addition to Ashfield, Broxtowe, Gedling and Rushcliffe.

Board will be reported to the Joint Committee.

RECOMMENDATION

10 It is RECOMMENDED:

- a) That Members consider the revised Protocol attached as Appendix 1 to this report;
- b) If agreed, the revised Protocol be referred to the relevant Bodies of the two Councils for adoption;
- c) That Members note the proposed establishment of a Nottingham Core Housing Market Area Programme Board:
- d) That the Joint Committee receives reports relating to the recommendations of the Nottingham Core Housing Market Area Programme Board.

Background Papers

None

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APPENDIX 1

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

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.

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APPENDIX 2

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

4. 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.
5. 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

6. The role of the Joint Committee remains the same, and is:

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

7. 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 the Nottinghamshire Structure Plan;
 - (b) Conformity of Local Development Documents, as agreed with the East Midlands Regional Assembly, and strategic planning and transport comments on Draft Development Plans prepared by other Local Planning Authorities;
 - (c) Co-ordination of policies and management for minerals and waste matters;
 - (d) Greater Nottingham Local Transport Plan;

- (e) Strategic issues arising from the management of the Traffic Control Centre;
 - (f) Strategic issues arising from Public Transport Operations, including Bus Quality Partnerships and the development of the Nottingham Express Transit;
 - (g) Greater Nottingham Rail Development Plan;
 - (h) 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;
 - (i) Strategic issues arising from the District Council air quality review and assessment.
8. To assist the Joint Committee in carrying out the responsibilities in paragraph 3 above, they shall be entitled to receive information and to comment where they deem appropriate on other relevant matters including:
- (j) Structure Plan policies and strategy for the rest of the County;
 - (k) Local Transport Plan for the rest of the County;
 - (l) Planning applications within Greater Nottingham subject to the statutory timetable;
 - (m) Wider aspects of Regional Spatial Strategies and Sub-Regional Studies;
 - (n) Major development proposals in areas surrounding Greater Nottingham;
 - (o) Significant developments in the highway and transport networks;
 - (p) Major strategic initiatives of either Authority in Greater Nottingham e.g. LA21;
 - (q) Economic strategies for Greater Nottingham;
 - (r) Government legislation, regulations and guidance affecting strategic planning and transport matters.

Area of Responsibility

9. 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 Structure Plan Review 1996. This area will be known as Greater Nottingham and its boundaries are illustrated on the attached Map 1.

Relationship to Parent Authorities

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18. 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

19. 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.

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