

NOTTINGHAM CITY COUNCIL
JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT

Date: Friday 16 December 2011

Time: 9.45am

Place: Meeting Room LB 31 - 3rd Floor at Loxley House, Station Street

Councillors are requested to attend the above meeting on the date and at the time and place stated to transact the following business.



Deputy Chief Executive/Corporate Director for Resources

Constitutional Services Officer: Angelika Kaufhold Direct dial - 8764296

AGENDA

- 1 APOLOGIES FOR ABSENCE**
- 2 DECLARATIONS OF INTERESTS**
Councillors, colleagues or other participants in meetings are requested to declare any personal or personal and prejudicial interest in any matter(s) on the agenda
- 3 MINUTES** Attached
Meeting held on 23 September 2011 (for confirmation)
- 4 STRATEGIC AND NATIONAL PLANNING UPDATE** Attached
Report of Joint Officer Steering Group
- 5 GREATER NOTTINGHAM JOINT PLANNING ADVISORY BOARD UPDATE** Attached
Report of Joint Officer Steering Group
- 6 TRANSPORT ISSUES UPDATE** Attached
Report of Joint Officer Steering Group
- 7 RAIL ISSUES UPDATE** Attached
Report of Joint Officer Steering Group

**IF YOU ARE UNSURE WHETHER OR NOT YOU SHOULD
DECLARE AN INTEREST IN A PARTICULAR MATTER, PLEASE
CONTACT THE CONSTITUTIONAL SERVICES OFFICER SHOWN
ON THIS AGENDA, IF POSSIBLE BEFORE THE DAY OF THE
MEETING, WHO WILL PROVIDE ADVICE IN THE FIRST
INSTANCE.**

**CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT
LEAST FIFTEEN MINUTES BEFORE THE START OF THE
MEETING TO BE ISSUED WITH VISITOR BADGES**

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JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT

MINUTES OF MEETING HELD ON FRIDAY 23 SEPTEMBER 2011 AT LOXLEY HOUSE, FROM 9.45 AM TO 10.50 AM

NOTTINGHAMSHIRE COUNTY COUNCIL

- ✓ Councillor Butler (Vice-Chair)
- ✓ Councillor Greaves (for minute 15 to 19 inclusive)
- ✓ Councillor Heptinstall
- ✓ Councillor Jackson (for minute 12 to 18 inclusive)

NOTTINGHAM CITY COUNCIL

- ✓ Councillor Urquhart (Chair)
- ✓ Councillor Clark
- ✓ Councillor Longford
- ✓ Councillor Malcolm (for minute 14 to minute 19 inclusive)

✓ Indicates present at meeting

12 APOLOGIES FOR ABSENCE

No apologies for absence were received.

13 DECLARATIONS OF INTERESTS

No declarations of interests were made.

14 MINUTES

RESOLVED that subject to amending minute 7, Nottinghamshire and Nottingham Waste Core Strategy, resolution (2) to read; that Councillor Butler would write to the City Council to invite a representative to sit on the Joint Waste Management Committee, the minutes of the meeting held on 24 June 2011, were agreed as a true record and signed by the Chair.

15 REVIEW OF THE JOINT COMMITTEE PROTOCOL

Consideration was given to a report of the Joint Officer Steering Group presented by Ms Gill, Nottinghamshire County Council, copies of which had been circulated.

A review of the protocol was required to take place every two years and was overdue. However, it was considered more appropriate for this review to be undertaken following the enactment of the Localism Bill and approval of the National Planning Policy

Framework which would be affected by the abolishment of the Regional Spatial Strategies. The Localism Bill was due for enactment before the end of 2011.

RESOLVED that no changes be made to the Protocol at the present time but that a review would be undertaken in six months.

16 NATIONAL PLANNING POLICY FRAMEWORK (NPPF)

Further to minute 5, dated 24 June 2011, consideration was given to a report of the Joint Officer Steering Group presented by Mr Butterworth, Nottingham City Council, copies of which had been circulated.

The Government published the draft NPPF on 25 July 2011 with views being sought by 17 October 2011 with a view to having the Framework in place by April 2012. The areas summarised included:

- the emphasis of the new NPPF was pro-growth and it sought to be pro-development with the default response to development proposals being yes except where this would compromise key sustainable development principles or any adverse impacts of the development would outweigh the benefits when assessed against the NPPF;
- sustainable development in planning terms was described as being:
 - planning for prosperity (economic) to build a strong, responsive and competitive economy by ensuring the availability of sufficient suitable land for development;
 - planning for people (social) by using the planning system to promote strong, vibrant and health communities;
 - planning for places (environmental) to protect and enhance our natural, built and historic environment;
- Local Planning Authorities (LPA) were required to produce one plan for the whole of its area and these should cover up to a 15 year period but also be flexible. The plans should not threaten the viability of development and should have a viability test to ensure they were not too onerous for development;
- joint working – LPAs had a duty to co-operate on planning issues which crossed administrative boundaries which was already being undertaken in Nottingham and Nottinghamshire.

During discussion of the proposed response, as detailed in the report, the following areas of concern were highlighted:

- there had been a failure in the Government's draft NPPF to define what was meant by sustainable development in plain English and clarification was needed on how to balance the conflicting demands between social, economic and sustainability needs;
- the emphasis was pro-growth and development but this conflicted directly with protection for green belt areas versus housing need. Clear guidance was needed on how to balance these conflicting needs and how this would be linked into Neighbourhood Plans;

- the approval route for Neighbourhood Plans also appeared to be costly and bureaucratic as they would be approved by a government inspector. There was no guidance on how and who would be developing these plans, where the resources would be coming from to support their development and what powers the Council would have if these plans were in conflict with its own proposals;
- the joint response had to be strengthened in relation to the increased number of housing need and availability especially given that it appeared the green belt would retain the same level of protection with the presumption of approval being on white land rather than green belt;
- there was concern that the development on former employment and commercial sites for housing would impact on the potential loss of employment opportunities, and create additional congestion and pollution;
- there was not enough understanding of the financial implications for County Councils who were mainly responsible for schools and highways etc, when developments were taking place within districts.

RESOLVED that consideration be given to the comments made and that a copy of the draft joint response be agreed by the Chair and Vice-Chair and circulated to all members of this Committee.

17 GREATER NOTTINGHAM JOINT PLANNING ADVISORY BOARD - UPDATE

Further to minute 10 dated 24 June 2011, consideration was given to a report of the Joint Officer Steering Group presented by Mr Gregory, Nottingham City Council, copies of which had been circulated.

A summary was provided in the appendices to the report relating to the progress of the preparation of the Aligned Core Strategies across Greater Nottingham and the implementation of the New Growth Point infrastructure which was overseen by the Greater Nottingham Joint Planning Advisory Board.

RESOLVED that the report be noted.

18 JOINT WASTE DEVELOPMENT PLAN – PROGRESS REPORT AND OTHER WASTE PLANNING ISSUES

Further to minute 7 dated 24 June 2011, consideration was given to a report of the Joint Officer Steering Group presented by Mr Allum, Nottinghamshire County Council, copies of which had been circulated.

The preferred approach document set out the Council's proposals for how and where all of the waste produced in Nottinghamshire would be managed. This provided the final opportunity for consultees and local communities to support or challenge what was proposed prior to final decisions being made and the draft plan being submitted to Government for independent examination by the end of the year. The key proposals in the preferred approach included:

- an ambitious target of 70% for recycling of municipal, commercial and industrial waste by 2025;

- larger facilities to be built in the main urban areas of Nottingham, Mansfield and Ashfield with smaller facilities in the market towns of Newark, Worksop and Retford;
- the balance to go to energy from waste plants with disposal being reduced to around 10%;
- resource recovery parks were also encouraged.

It was confirmed that 180 responses had been received from the public with a range of responses in relation to the co-location of waste facilities at power stations and opposition to incinerators.

RESOLVED that the progress of the Joint Nottinghamshire and Nottingham Waste Core Strategy be noted.

19 TRANSPORT ISSUES - UPDATE

Further to minute 8 dated 24 June 2011, consideration was given to a report of the Joint Officer Steering Group presented by Mr Carter, Nottingham City Council, copies of which had been circulated.

- confirmation was received on 5 July 2011 from the Secretary of State for approval of £4.925 million for Nottingham's Urban Area Local Sustainable Transport Fund Key Component bid (100% of the bid);
- the £11 million bid for Nottingham Urban Area Local Sustainable Transport Fund had been shortlisted for the next stage;
- other topics discussed included the progress of major schemes including the dualling of the A453, Nottingham City ring road improvements and Hucknall Town Centre improvements and progress of Nottingham Express Transit Phase Two.

RESOLVED that the report be noted.

20 RAIL ISSUES - UPDATE

Further to minute 9 dated 24 June 2011, consideration was given to a report of the Joint Officers Steering Group presented by Mr Bamford, copies of which had been circulated. An update on the progress was provided in relation to:

- the Regional Growth Fund bid for £20,650,000 bid was submitted by East Midlands Trains on 30 June 2011;
- the car park built at Nottingham Station was making good progress and on course for completion by May 2012;
- infrastructure improvements by Network Rail on a number of schemes to raise speed limits for example Nottingham to Leeds line to reduce journey time by 25 minutes etc;
- local timetable changes were reported for a range of services as detailed in the report.

RESOLVED that the report be noted.

meeting	JOINT COMMITTEE ON STRATEGIC PLANNING & TRANSPORT	
date	16th December 2011	agenda item number
from:	JOINT OFFICER STEERING GROUP	

Report

STRATEGIC & NATIONAL PLANNING UPDATE

Purpose of Report

1. This report updates members on the Localism Act and three matters arising from it; the Government's revocation of Regional Spatial Strategies, plus consultations from Government on Neighbourhood Planning and the Community Infrastructure Levy.

1 The Localism Act

2. The Localism Bill received Royal Assent on the 15th November 2011. Amongst other things the Act represents a significant change in direction as to how the planning system will operate. The new law devolves greater powers to councils and neighbourhoods and gives local communities more control over housing and planning decisions.
3. The Localism Act makes the following key provisions relating to Planning:
4. It abolishes Regional Spatial Strategies (see below).
5. It amends the Community Infrastructure Levy allowing councils to charge developers to pay for infrastructure (see below).
 - The Act allows for some Community Infrastructure Levy funds to be passed to County Councils and neighbourhoods where the development has taken place.
6. It replaces the independent Infrastructure Planning Commission (IPC) with a democratically accountable system where ministers will take decisions on major infrastructure projects within the same timeframe as the current regime. A Major Infrastructure Planning Unit is to be set up within the Planning Inspectorate.
7. It creates a legal duty for local authorities and statutory bodies to co-operate in plan-making and other strategic planning activities. This is one of the ways in which some degree of strategic planning may be maintained.
 - The provisions in the Act relating to the duty to co-operate have been strengthened in comparison to their original incarnation. The scope of the activities subject to the duty to co-operate has been broadened to include plan making or infrastructure planning.

8. The Act streamlines Planning Policy Guidance, which will fall under a new National Planning Policy Framework (NPPF), expected to be in place by spring 2012. However the Localism Act does not actually mention the NPPF.
9. Inspector's recommendations to amend development plans are no longer binding on the local authority.
10. The Act introduces a new tier of spatial planning – neighbourhood planning.
 - It provides for the creation of neighbourhood plans,
 - It introduces the right for communities to create a Neighbourhood Planning Authority (NPA).
 - NPAs can prepare their own development plans and will have the power to set 'Neighbourhood Development orders' (NDOs) where planning permission will be granted for development specified by the order.
11. The Act introduces a 'Community Right to Build Order' (CRBO) where local communities have the power to take forward a development in their area without the need to apply for planning permission, subject to certain safeguards.
12. The Act introduces a new requirement for prospective developers to consult with local communities before submitting planning applications for large developments.
13. Constraints on the conduct of councillors determining planning applications are to be relaxed, allowing views on proposals to be expressed.
14. The Act introduces new enforcement provisions for LPAs to be allowed for a planning enforcement to run from the time a 'concealed breach of planning control' is notified to them. The Act also includes a new power to refuse to make a decision on a retrospective planning application while enforcement action is taking place.
15. Since the Localism Bill was published in December 2010, the government has made certain planning-related amendments.
16. Local finance considerations
 The government introduced a controversial amendment in May 2011 which proposed that any 'local finance considerations' could be material to a planning application. Critics including the Royal Town Planning Institute responded that one consequence of this could be that economic considerations would outweigh social and environmental concerns, labelled 'cash for permissions'. The government tabled a fresh amendment to overcome these concerns; that no one aspect should be considered with any extra weight over another.
17. Business-led neighbourhood forums
 Another amendment to the Localism Bill put forward in May by the government was that neighbourhood forums could be established 'expressly' for the purpose of promoting business. However, the amendment was criticised by the RTPI and the organisation Civic Voice. The organisations argued that this would mean a neighbourhood plan would not have to take into account wider social economic and environmental issues and concerns.

The government agreed to a further amendment to ensure that all neighbourhood forums were set up for the express purpose of 'promoting or improving the social, economic and environmental well-being of an area' irrespective of the purpose of promoting business.

18. Definition of presumption in favour of sustainable development
The Environmental Audit Committee called on the government to include a statutory duty in the act that would require local planning authorities to apply the principles of sustainability in the planning system and other functions of local government. However, this idea has been rejected.

19. Members are asked to note this section of the report.

2 Revocation of Regional Spatial Strategies

20. Regional Plans will be revoked through the Localism Act when enacted. The revocation, or abolition, is subject to the outcome of environmental assessments and will not be undertaken until the Secretary of State and Parliament have had the opportunity to consider the findings of the assessments.
21. The Government decided to carry out an assessment of the likely significant environmental effects of the revocation of the eight existing Regional Plans. The assessments, while not strictly required by it, have been carried out in line with the procedure set out in the European Strategic Environmental Assessment Directive.
22. Eight Environmental Reports have been published on the Department for Communities' (CLG) website on 20 October 2011, on which they are seeking comments from organisations and individuals for a period ending on 20 January 2012. Subject to the assessment process CLG expect the orders revoking the existing Regional Plans to take effect next spring.
23. The Environmental Report for the East Midlands is a consultation document on the likely significant environmental effects of revocation of the East Midlands Regional Plan.
24. The assessment has taken as a starting point the environmental assessments carried out when the Plan was being prepared. A broad assessment has then been made of how the Plan's predicted environmental effects might be changed if the Plan was revoked.
25. The report indicates that the environmental effects of revoking the Plan cannot be clearly predicted because they depend on decisions by local authorities, individually and collectively. Emphasis is given to the removal of regional strategies and their top-down targets [principally for house-building] that will provide opportunities for securing environmental benefits, the example of the review of Green Belts being given.
26. In addition the report notes that the revocation of regional strategies should be seen in the context of other relevant Government policies and associated legislation aimed at protecting the natural and built environment and this is described in the section on the policy context above. Further that a provisional

view is that the revocation of the regional strategies will have no effects requiring assessment under the Habitats Directive.

27. It is not envisaged by the report that addressing existing environmental problems which were relevant to the Plan could have been done solely through the Plan, thus it is not expected that the revocation of the Plan will result in their inevitable occurrence or that no action may be put in place locally to mitigate them. These would include:
- A decline in biodiversity, habitat loss and fragmentation,
 - Pressure on the availability of water resources; ongoing action was flagged up for future reviews of the Plan to ensure that the amount of housing proposed was sustainable with regards to water consumption and sewage treatment,
 - The achievement of air quality and greenhouse emissions targets, especially with respect to transport,
 - Threats to the historic environment from development, in particular, concerns over the capacity of historic settlements to accommodate further development.
28. The report indicates that revocation would not mean that relevant national and international environmental objectives are ignored. Following its revocation, responsibility for ensuring the Planning system properly contributes to environmental protection objectives would largely fall to local authorities, working alongside the Environment Agency, Natural England and English Heritage. New or revised development plan documents will be subject to sustainability appraisal.
29. Revocation of the Plan would leave in place saved local plan policies and adopted development plan documents. Also the expectation is that local authorities will continue to work together on cross boundary strategic issues, supported by the 'duty to co-operate' in the Localism Act. Local authorities will continue to be required to prepare their local plans with the objective of contributing to the achievement of sustainable development, supported by a strategic environmental assessment.
30. The Government has recently published for consultation the new National Planning Policy Framework. Combined with existing legislation including the need for strategic environmental assessment of development plans, and Habitats Regulations assessment, this will ensure that local plans promote sustainable development.
31. The assessment's conclusion is that revocation of the Plan is unlikely to have any significant environmental effects in all the aspects considered. In reaching this conclusion the assessment has taken into account likely significant effects from (inter alia) interrelationships of environmental effects, secondary, cumulative and long-term permanent factors.
32. Issues for the two Authorities:
33. The revocation of the Regional Plan (or Regional Strategy - RSS) is of interest to the Authorities in their role as upper tier authorities with a strategic perspective. There are four areas where it is noted that the report may fall short of a full and proper assessment.

34. It appears unreasonable for the report to conclude that the loss of Regional Plan policies, especially environmental ones that were generally accepted to have positive outcomes, would not lead to some significant environmental effects without substantial alternatives being identified. For example, the Government intends to replace the Regional Plan, alongside Planning Policy Statements that underpinned and enhanced it, with the National Planning Policy Framework. Together with existing regulation in other areas this is suggested to be an adequate replacement for regional policies for environmental protection. Such a narrow and limited approach is considered insufficient to replace the thrust of positive regional environmental policies, with targets and monitoring, that existed, as acknowledged by the report, in the Regional plan.
35. Secondly the report appears one-sided in presenting future impacts. For example, while emphasising the removal of top-down housing targets (although housing is not mentioned, and Regional Plan targets included environmental ambitions), it does not mention the Government's stated intention to increase house-building, thus maintaining the pressure on development. Similarly, future changes to environmental regulation and control are suggested to be positive when this may not be the case, depending upon Government decision, especially in relation to supporting the economy.
36. The report mis-applies the protection of the Green Belt as delivering environmental objectives. While, as PPG2 makes clear, the Green Belt, once designated, can have environmental benefits, the process to review Green Belt boundaries must take into account other factors including the suitability of Green Belt sites against other less sustainable sites. Consequently to cite the protection of Green Belt *per se*, as leading to environmental benefits, is misleading; these may (but not necessarily) exist in local circumstances, where environmental assets are lost, but development in other locations could have greater negative impacts, which the Regional Plan had addressed.
37. The Regional Plan was in place to ensure work, for example, to ensure the provision and protection of Green infrastructure assets, especially in the Three Cities area. The loss of such policies in a development plan will threaten the maintenance of protection and enhancement of assets not seen as locally important, but of greater value in connection with others; the essence of a strategic perspective. In addition, resources would not be directed to those matters. Green infrastructure is one example, water quality, transport impact, and the distribution of development in a sustainable way are others.
38. Thus the Report does raise concerns that some significant negative environmental impacts have been understated and the value to the environment of planning at a strategic level has not been sufficiently identified. The Authorities will be making their own individual responses on the consultation and a joint response is considered unnecessary.
39. More generally with regard to the revocation of the Regional Plan the City and County Councils are making significant contributions as upper tier authorities to increase the contribution that they make to the improvement of the environment, in cooperation

with district councils and other partners, through their various roles in plan-making, transport planning and infrastructure provision.

3 Neighbourhood Planning Regulations Consultation

40. The Department for Communities and Local Government has published a short consultation paper alongside a draft set of Neighbourhood Planning Regulations, seeking views on the Government's proposals for governing the process for establishing neighbourhood areas and forums, the requirements of the Community Right to Build organisations, and the preparation of Neighbourhood Plans and Neighbourhood Development Orders, and Community Right to build Orders.
41. Neighbourhood Planning is central to the Government's decentralisation, localism, and Big Society agenda. The stated purpose of this consultation is to gauge whether the proposed approach strikes the right balance between standardising the approach to neighbourhood planning across the country and providing for sufficient local flexibility to reflect local circumstances.
42. The proposed regulations set out minimum requirements for submission of information on Neighbourhood Planning proposals to Local Authorities, as well as the minimum requirements for Local Authority to publicise these proposals. The approach is described within the paper as one of a 'light touch', but granting Local Authorities scope to go beyond the minimum requirements set out.
43. The proposed legislation also sets out time limits for the provision of information, submission of applications and decision making. The process of making key decisions by Local Authorities is not prescribed, though powers to do so are set out. Additionally, Neighbourhood Planning Areas may cross two or more Local Planning Authority areas. In such cases Local Authorities are able to decide how best to manage cross boundary arrangements.
44. Arrangements for referendums on Neighbourhood Planning proposals are not included within the draft regulations. The 12 week consultation period on the paper and draft regulations expires on 5th January 2012.

4 Community Infrastructure Levy (CIL)

45. The Department of Communities and Local Government (DCLG) recently published a draft consultation paper on the Community Infrastructure Levy.
46. The Community Infrastructure Levy allows local authorities to choose to charge a levy on new development in their area in order to raise funds to meet the associated demands placed on an area and to enable growth.
47. The money raised must be used to provide infrastructure to support the development of the area, addressing the matters that the council, local community and neighbourhoods identify are needed for it to proceed – for example by providing new roads and transport.

48. Single tier and lower tier local authorities in England and Wales can charge and spend the levy. These charging authorities may spend receipts themselves, pass funds to other bodies, such as upper tier authorities, and fund infrastructure outside their area provided that the spending supports the development of their area, for example providing strategic transport infrastructure.
49. Earlier consultations on CIL have received responses from the two authorities, including concerns over the ability to raise charges and ensure revenue is transferred to the appropriate authority, in particular where that is the County Council. The proposals do not recognise the significant infrastructure demands upon upper-tier authorities in two-tier areas. This also impacts upon delivery across the Nottingham Core HMA, including strategic infrastructure.
50. The current consultation includes the Government's proposals to:
- Implement neighbourhood funds
 - Allow receipts to be used to provide affordable housing
 - Require charging authorities to report more openly and regularly on receipts and expenditure to improve understanding of the contributions and how funds are used
 - Add new Development Orders to the list of developments that may be liable to a charge.
51. The Government proposes to use powers contained within the Localism Bill to provide a percentage of CIL to locally elected councils (Parish Councils), these will be known as 'Neighbourhood Funds'. In the absence of a parish council the charging authority i.e. City, District and Borough Councils, will have to engage with the local community on how to best spend the money. This implies that less CIL income will be used to provide strategic infrastructure for an area; it could be used to persuade local communities to accept new development or deliver locally identified benefits on an ad-hoc basis, rather than important strategic assets that require wider, shared commitment. Money will also be directed more towards administration.
52. The inclusion of development orders (Neighbourhood Development Orders and Community Right to Build Orders) in CIL provisions is to be welcomed, as it allows the levy to be charged on development that otherwise might not contribute to infrastructure while still having an impact upon it. Similarly more transparent reporting is welcomed.
53. The authorities will be making their own individual responses on the CIL consultation and a joint response is considered unnecessary. In Greater Nottingham, the City and District Councils are considering aligning the preparation of their CILs, to ensure a consistent and complimentary approach.

CONCLUSION

54. Of the above matters two, the Community Infrastructure Levy and the Neighbourhood Planning Regulations are consultations on draft proposals. The SEA on the revocation of the Regional plan is also being consulted upon with

comments to be considered by CLG. The two Authorities will be responding accordingly. The item on the Localism Act is for Members information only.

RECOMMENDATIONS

It is RECOMMENDED that Members of the Committee discuss and note the report.

Background Papers

Contact Officers

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<p>Meeting JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT</p> <p>Date 16th December 2011 agenda item number</p> <p>From JOINT OFFICER STEERING GROUP</p>
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GREATER NOTTINGHAM JOINT PLANNING ADVISORY BOARD UPDATE

Summary

- 1 The Greater Nottingham Joint Planning Advisory Board (JPAB) oversees the preparation of Aligned Core Strategies across Greater Nottingham, and the implementation of the New Growth Point infrastructure projects. This report updates the Joint Committee on the work of JPAB.

Background

- 2 The last meetings of JPAB were held on 20th October and 14th December 2011. The minutes of the October meeting are to be considered on 14th December and are therefore not available for inclusion in this report. On the 20th October the main item of business was consideration of guidance from the Planning Inspectorate on soundness issues associated with the preparation of Aligned Core Strategies and an update from Rushcliffe Borough Council on housing provision. A verbal update will be provided.
- 3 The meeting previous to the above took place on 24th August 2011, and the minutes of this meeting are attached (Appendix 1).

Recommendation

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

Background Papers referred to in compiling this report

Greater Nottingham Joint Planning Advisory Board papers 24th August, 2011.
Greater Nottingham Joint Planning Advisory Board papers 20th October, 2011.

Contact Officer

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Appendix 1

ITEM 3	MINUTES OF THE GREATER NOTTINGHAM JOINT PLANNING ADVISORY BOARD (JPAB) HELD ON 24 AUGUST 2011 AT BROXTOWE BOROUGH COUCL
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PRESENT

Broxtowe: Councillor S D Barber (Chair);
Erewash: Councillor G Smith;
Gedling: Councillor R Allan;
Rushcliffe: Councillor D Bell;

Officers in Attendance

Ashfield: Lisa Bell;
Broxtowe: Steve Dance
Erewash: Steve Birkinshaw;
Gedling: Alison Gibson;
Growth Point: Dawn Alvey, Matthew Grant, Matt Gregory;
Nottingham City: Chris Carter;
Nottinghamshire County: Sally Gill;
Rushcliffe: Richard Mapletoft;

Observers

Environment Agency: Naomi Doughty;
HCA: Mark Banister;
Nottingham City: Councillor I Malcolm;

Apologies

Ashfield: Trevor Watson;
Broxtowe: Ruth Hyde;
Derbyshire: Chris Massey;
Erewash: Yvonne Wright;
Gedling: Peter Baguley;
Nottinghamshire City: Grant Butterworth, Councillor A Clark, Councillor J Urquhart;
Nottinghamshire County: Councillor R Butler;
Rushcliffe: Paul Randle;

1. **Welcome and Apologies**

Councillor Steve Barber, Chair, welcomed those attending and introductions were made for the benefit of new members to the board.

2. **Declarations of Interest**

There were no declarations of interest.

3. **Minutes of the Last Meeting and Matters Arising**

The minutes of the meeting held on 17 June 2011 were approved. There were no matters arising.

4. **Aligned Core Strategies (ACS)**

The board were updated on progress with the ACS including progress with the Housing Provision Paper and Climate Change consultations. The board noted the report and it was considered imperative that the timetable as reported be adhered to. MG confirmed that the ACS would have regard to the draft National Planning Policy Framework. A critical friend meeting with the Planning Inspector is planned for early October.

Cllr Smith queried when the infrastructure paper would be available. DA would circulate this paper to board members when it had reached an appropriate state. The report will need to include conclusions of the transport modelling work currently underway.

It was resolved to NOTE progress on the ACS.

5. **Programme of Development**

The board were informed of the latest position regarding the programme of development. Grant claims up to 31 June 2011 had been received and were being progressed. Broxtowe Borough Council had previously agreed to recycle a proportion of S106 monies back into the Growth Point fund.

It was noted that the Executive Steering Group had approved a capital allocation of £278,000 for the Attenborough/Beeston Marina reserve project. It was commented that this was hoped to enhance cycle provision in the area.

It was resolved to:

- | |
|--|
| <ol style="list-style-type: none">1. NOTE the action of the Executive Steering Group in approving an allocation of £278,000 to the Attenborough to Beeson Marina Reserve Project;2. SAFEGUARD the allocation of £250,000 for Gelding Colliery pending further viability work; |
|--|

3. Subject to approval by Nottingham City Council as responsible body **APPROVE** the extension of the Growth Point Planning Manager and the Commissioning and Delivery Manager by 12 months;
4. **ENDORSE** the partnership health check.

6. **Draft National Planning Policy Framework (NPPF)**

The board received a presentation from Matt Gregory and were given a report highlighting the relevant strategic planning issues in the recently released draft NPPF which impact on the work of the JPAB and ACS.

It was commented that this increased the need for plans to be robust in particular to ensure the protection of the green belt. A concern was raised that, as the Broxtowe Local Plan was due for completion at the end of this year, the authority may be vulnerable and clarification was sought on this issue. It was suggested that confirmation be sought on the weight to be given to emerging draft plans by the Planning Inspectorate. It was noted that draft plans are expected to be given considerable weight by a planning inspector. Cllr Barber commented that councils need to maintain momentum to meet the current timescale for adoption.

Mark Bannister (HCA) commented that NPPF placed increased importance on joint working such as that progressed by this Board.

Rushcliffe Borough Council had been carrying out local consultations and would submit a paper to the next meeting of the JPAB indicating their plans. This was expected to follow the aforementioned timescales.

Consultation responses were to be given by each authority however it was considered the JPAB should submit a joint response to strategic issues. This would be formulated via e-mail and signed by the Chair before submission.

It was resolved to **NOTE** the report and formulate a joint consultation response via e-mail, to be signed by the Chair for submission to the Department of Communities and Local Government

7. **Local Sustainable Transport Fund (LSTF)**

The board received a presentation from Chris Carter and were given a report highlighting the progress of the Nottingham Urban Area LSTF bid and proposed governance arrangements to involve the bid partners and the JPAB in the delivery of the key component bid programme. Cllr Barber - supported the concept of multipurpose smart cards. Cllr Smith - queried LEP involvement. CC confirmed LEP would be endorsing future bids but would not have a direct role. Cllr Bell - requested clarification on the proposed use of social networking. CC - very

relevant for younger age groups and community groups. MB queried bid timeline and progress of other councils. CC – complex and phased bidding structure – other bid outcomes not yet clear.

Following approval of the governance arrangements, CC and DA would work on defining the roles and responsibilities of each tier and report Terms of Reference to the Board.

It was resolved to:

1. **NOTE** the report;
2. **RECEIVE** a future report setting out the Terms of Reference and detailing the Board's role in providing strategic advice and direction in the development and delivery of the LSTF programme;
3. **RECEIVE** quarterly update reports on progression of the Key Component programme.

8. **Any other business**

The next meeting will be held at 2.00pm on 20 October 2011 at the Town Hall, Beeston.

Meeting:	JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT	
Date:	16 DECEMBER 2011	Agenda item number:
From:	JOINT OFFICERS STEERING GROUP	

TRANSPORT ISSUES UPDATE

Purpose of report

1. To update the Committee on key transport issues for the Greater Nottingham area.

A453 (M1 to Nottingham) widening scheme

2. The County Council, other local authorities and businesses are continuing to campaign for this key strategic infrastructure which has the potential to unlock huge economic benefits in Nottinghamshire. In addition to the £20million local contribution offered by the County Council, Rushcliffe Borough Council are understood to have now offered £0.5million to support the timely delivery of the overall scheme.

Local Sustainable Transport Fund update

3. Delivery of the Key Component elements of the Local Sustainable Transport Fund has now commenced following a governance framework and delivery model having been established. The £4.935 million programme will deliver smart ticketing improvements, enhanced business travel support, the continuation of partnership working to promote cycling and piloting a community smarter travel hub.
4. On 3rd August the Department for Transport (DfT) announced that the Nottingham Urban Area Local Sustainable Transport Fund Main Bid had been successful in getting to the next stage.
5. If successful the Main Bid will build on the Key Component work programme and secure up to £10.82 million of further funding for 2012/13 – 2014/15 to deliver an integrated package of measures to influence people's travel behaviour through four complementary work packages:
 - **Smartcard support and personalised travel planning:** Extending the range of transport services available via smartcards to achieve integrated

ticketing between modes including further education students and personalised travel planning services to improve access to work and training opportunities;

- **Establish a network of Smarter Travel Hubs** for local delivery of sustainable travel solutions across the urban area and funding to create the physical environment to support low carbon travel choices including roll out of 20 mph limits;
 - **Active Travel Solutions** to provide activities and services for children, families and schools to encourage more walking and cycling including cycle training and associated services and a programme of community and area-wide events;
 - **Developing the low carbon transport network** focused to meet future business needs including supporting the uptake of electric vehicles for fleet and public transport, establishing a car club and supporting greener driving as well as cycle infrastructure development and associated promotion;
6. The bid partnership is now preparing to submit a Full Business Case for the Main Bid by 20th December 2011 for a decision in summer 2012. An inception meeting took place with the DfT at the end of August to agree the scope of the Business Case and a further visit by DfT delegates was hosted on 16th November to understand the Main Bid proposals better.

Nottingham Express Transit Phase Two

7. Funding for two more lines of the tram comprising NET Phase Two was confirmed by Government in March 2011 albeit with a reduced Government funding contribution. Following this announcement, the Tralink Nottingham consortium was appointed as preferred bidder for the scheme.
8. Work is progressing towards a contract being let in late 2011. Construction work would start early in 2012 and is due to be completed by 2014.

Workplace Parking Levy update

9. Licensing of the City Council's Workplace Parking Levy commenced on 1st October 2011. The Workplace Parking Levy team is currently undertaking compliance and enforcement activities to ensure the majority of employers have obtained a license and are licensed correctly, that discounts and associated employers are verified. A communications campaign to encourage compliance and additional car park management support is also underway. Charging is scheduled to commence in April 2012.

Recommendation

10. It is recommended that the Committee note the content of this report.

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Meeting	JOINT COMMITTEE ON STRATEGIC PLANNING AND TRANSPORT	
Date	16 DECEMBER 2011	Agenda item number
From	JOINT OFFICER STEERING GROUP	

RAIL ISSUES UPDATE

Purpose of the report

1. To update the Committee on key rail issues in and into the Greater Nottingham Local Transport Plan (LTP) area and rail services across local authority boundaries. The work of the two Councils, although separate, is complementary, and of mutual benefit.

Midland Main Line

2. On 31st October 2011 the Government announced the results of round 2 of the Regional Growth Fund (RGF). The bid by East Midlands Trains for £20.6 million to invest in the Midland Main Line was unsuccessful.
3. The bid to RGF had been submitted following correspondence between the Councils and Ministers, and in particular letters on 24th November 2010 from Theresa Villiers to Councillor Jackson and Councillor Urquhart in which she said "The recently announced Regional Growth Fund is a potential source of funding....I suggest you look initially to this fund for the £27million you seek".
4. Despite the helpful intention of the suggestion from the Minister, as the Regional Growth Fund evolved it transpired that in fact it was not really intended for transport schemes, very few of which were allocated any RGF funding.
5. In the March 2011 budget, the Government made available £200million of additional funding for railway infrastructure. Of this £127m has been allocated to 2 schemes in Manchester and between Swindon to Kemble, leaving £73million so far unallocated. No decision has yet been announced regarding this remaining £73million.
6. On 14th October 2011, shortly prior to the RGF announcement, Councillors Jackson and Urquhart again wrote jointly to the Minister, pressing the case for the scheme for which RGF was being sought. At the date of drafting this report (28/11/11) no reply had been received.
7. A further letter has been drafted to go from Councillors Jackson and Urquhart to the Minister regretting the failure of the RGF bid and asking that the scheme be funded from the unallocated £73m budget monies.

8. The recently published Initial Industry Plan (IIP) contains a number of proposals for the Midland main Line - see separate report.
9. The assessment and development work that Nottinghamshire CC commissioned regarding Market Harborough and the MML is being subsumed into the IIP.
10. On 29th November a meeting was organised by East Midlands Councils and South Yorkshire PTE in Parliament to raise the profile of the Midland Main Line (MML) and to lobby for its upgrading and electrification. Councillor Urquhart and Councillor Adair represented Nottingham City Council and Nottinghamshire County Council. The event was well attended by Stakeholders from along the MML, but only 4 MPs attended. Unfortunately Ministers were engaged elsewhere in conjunction with the announcements that day in the Chancellor's pre-budget report and the publication of the National Infrastructure Plan.
11. The Chancellor's pre-budget report and the National Infrastructure Plan contained commitments for investment in a number of rail schemes, but unfortunately there was no mention of the MML in either.

High Speed Rail

12. In February 2011, the Department for Transport (DfT) published a consultation document setting out its proposed strategy for a high-speed rail network for Britain. It has two main elements
 - A detailed proposed route between London and Birmingham, and
 - An in principle commitment to a network that includes two 'arms' north from Birmingham,
 - one to Manchester and the north west, and
 - one to the East Midlands, Sheffield, and Leeds, with connections onwards to Newcastle and Edinburgh,plus short sections connecting directly to Heathrow and to the Channel tunnel line to Paris, Belgium, Germany and beyond.

The consultation closed on 29th July 2011. Both Councils have made submissions, which are attached at Appendix A.
13. It is expected that the Minister will make an announcement of his decision around the end of the year.

Nottingham Station Hub scheme

14. Network Rail's appointed contractor for the multi-story car park contract, Vinci Plc, remains on course to complete works by May 2012 and in October 2011 Network Rail also entered into contract with Vinci Plc to deliver the main station works. All work, including associated highways work, is programmed to be complete by November 2014 though opportunities to reduce the length of the construction programme are still being explored which could potentially bring completion forward to early 2014

Nottingham - Birmingham journey time improvement

15. It was reported to this committee in December 2009 that Trent West junction is subject to a very severe speed restriction (10mph westbound and 15mph eastbound) because it is so sharply curved. Network Rail renewed the track at this location in August 2009, and as a result of extremely strong pressure from the Council Network Rail agreed to do some further works here to raise speeds slightly (to 15mph westbound and 20mph eastbound). These works were finally undertaken over the weekend of 18th & 19th June 2011. The speed limit signs were due to be altered in November - I am seeking confirmation that this has been done, and will amend the report before the Joint Cttee meeting.
16. Train operator Cross Country had hoped that these works, together with previous works at Trent East Junction, would enable some modest reduction in the Nottingham - Birmingham journey times, but that has not proved possible in advance of the Nottingham resignalling. However, completion of these works at Trent West does mean that an element of journey time reduction should be achievable once the Nottingham resignalling scheme has been completed in 2013.

Infrastructure improvements

17. In conjunction with Network Rail, work continues on the large range of schemes and studies reported previously, including:
 - a study into raising the speed on the Nottingham to Grantham line, so as to reduce journey times and enable a substantial increase in service to Aslockton, Radcliffe and Netherfield,
 - a scheme to transform the Nottingham - Newark - Lincoln line, with speeds raised to 90mph,
 - a scheme to raise speeds on the Nottingham - Leeds line and reduce journey times by 25 minutes,
 - a scheme to raise speeds on a section of the Nottingham - Manchester line and reduce journey times by 2 minutes, as the first stage of a much bigger reduction in journey times,
 - a study of raising speeds on the northern section of the Robin Hood Line, and
 - a study of whether it might be possible to reduce the costs of re-opening the Robin Hood Line to Ollerton.Details will be reported to future joint committee meetings as work progresses.

Other service changes to local trains

18. The winter timetable started on 11th December 2011. As reported to last joint committee meeting, there were a couple of minor change to services to/from Nottingham
 - The 06.45 Nottingham - Grantham - Skegness departs 4 minutes earlier and calls at Bingham. This is in response to a request from a member of the public made to Councillor Butler, to which East Midlands Trains has agreed;
 - The 07 08 Lincoln - Newark - Nottingham - Leicester - London will departs 4 minutes earlier and calls at Lowdham. This is the fulfilment of

an undertaking made in 2008 by East Midlands Trains, to users from Lowdham that this train would call there as soon as it was possible to get a slightly earlier path for this train across the Newark flat crossing of the East Coast Main Line;

- a additional train runs at 19.30 from Nottingham to Newark and Lincoln, calling at Carlton, Burton Joyce, Lowdham, and Fiskerton; and
 - an additional trains runs at 16.34 from Nottingham to Grantham and Norwich.
19. Also from the winter timetable all Nottingham - Liverpool trains (via Sheffield & Manchester) will be formed of 4 vehicles. This rectifies an error made at the time of letting the franchise in 2007 when DfT told bidders that the amount of rolling stock then being used for the Nottingham - Liverpool service was less than it actually was, which resulted in Nottingham - Liverpool trains being reduced in length and becoming the most persistently overcrowded service in Britain.

Nottingham - Newark - Lincoln

20. The Councils continue to be involved in the Nottingham - Lincoln line Stakeholder board which has been established by East Midlands Trains (EMT). The Stakeholder board had been working hard to try to get 2 additional vehicles to enable a doubling of the service frequency between Nottingham and Newark, from the current 1 train per hour to a train every 30 minutes.
21. Some new diesel trains are being built for services in the West Midlands. They will be the last diesel trains built for Britain's railway system for a very long time. Some will be used to lengthen trains, but about half of the new trains will displace some 40 older vehicles for use elsewhere. On 10th August, DfT announced that 32 of these vehicles were being allocated to *"deliver additional seats into Birmingham, Bristol, Leeds, Manchester, Liverpool, Sheffield and Newcastle from December 2011. The total cost of this investment is £16.7m. This covers the net cost of additional passenger services until the end of each franchise."* As can be seen, this DfT investment benefits every 'Core City' in England except Nottingham. Only Nottingham is left out.
22. On DfT announced that the remaining 8 vehicles were being allocated to First Greater Western for use on 2 branch lines in Devon and Cornwall, and in the Thames valley. First great Western was also allowed to re-hire some HST vehicles that it had previously withdrawn. The denial of these vehicles to the Nottingham - Newark - Lincoln route has generated an angry response from some local stakeholders.

RECOMMENDATION

25. It is recommended that the Committee note the contents of the report.

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