

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council

27 November 2008

AUTHOR/S: Executive Director / Planning Policy Manager

JOINT PLANNING POLICY COMMITTEE: CONSULTATION ON DRAFT REGULATIONS

Purpose and background

1. The Council has received draft regulations required to set up the joint section 29 Planning Policy Committee. These are **attached** in the document entitled Appendix 3.
2. The terms of the order incorporate the arrangements approved by Council in January 2008 and the subsequent Local Agreement signed by the Leader in September. The Local Agreement and the proposed terms of reference are attached to the electronic version of the Agenda by way of background information. They are available to view on the Council's website, www.scambs.gov.uk, and are available to view in the Members' Room.
3. Although Council's decision has been fully implemented in the drafting of the Parliamentary Order which will bring into force the Section 29 Joint Plan-Making Committee, Council's resolution from the January meeting says:

"Final proposals be referred back to the Council when the Secretary of State consults upon the draft Order, noting that consideration will be restricted by the terms of the Local Agreement to which the Council will be a signatory."

Consequently the terms of the draft order therefore need to be reported to the Council at this stage.

4. The terms of the order incorporate the arrangements approved by Council last January and so are considered to be acceptable.
5. The government office has pointed out that Article 4 (2)(b) of the draft order requires the Joint Committee to submit its Local Development Scheme (LDS) to the Secretary of State by not later than a specified date. This would usually be within three months of the date of the Order coming into effect. They need to know what would be a reasonable time period for submission of the LDS and, in particular, if there are any specific reasons why a different time period would be appropriate.
6. Officers from the three authorities have discussed this issue and propose that a six-month period be allowed for submission of the LDS. This is thought reasonable because of other pressing Local Development Framework commitments and because there are currently no additional planning policy documents proposed in existing Local Development Statements for the areas covered by the Joint Committee.
7. The government Office has also pointed out that Article 1(2) to the Schedule (under the 'Meetings' heading) requires a date for an annual meeting to be inserted. However members have already agreed that the first meeting held after 31st May in any year be the annual meeting and no further agreement is needed to recommend this be included in the draft order (this was the wording approved by Council in January 2008).

Implications

8. The establishment of a joint plan making committee under section 29 of the Planning and Compulsory Purchase Act 2004 is critical to continued Government funding of £700,000 per annum to the three authorities and Cambridgeshire Horizons for staff to help deliver quality growth. Without the funding there could be serious staffing issues. There are no other direct implications in this round of plan-making.

| | |
|---------------------|---|
| 9. Financial | The Local Development Schemes of South Cambridgeshire and Cambridge City Councils already include provision for the plans which will become the responsibility of the Joint Committee and therefore additional costs are unlikely to be incurred. |
| Legal | The Council would cede those of its plan-making powers to the Joint Committee as are specified in the Order. |
| Staffing | The Local Development Schemes of South Cambridgeshire and Cambridge City Councils already include provision for the plans which will become the responsibility of the Joint Committee and therefore additional staff are unlikely to be required. |
| Risk Management | The Joint Committee will be the sole decision-making body. An additional £700,000 of growth area funds and a rolling fund will be made available to Cambridgeshire Horizons for development within South Cambridgeshire and Cambridge City. |
| Equal Opportunities | None specific |

Effect on Corporate Objectives and Service Priorities

| | |
|-----|--|
| 10. | Work in partnership to manage growth to benefit everyone in South Cambridgeshire now and in the future |
| | Deliver high quality services that represent best value and are accessible to all our community |
| | Enhance quality of life and build a sustainable South Cambridgeshire where everyone is proud to live and work |
| | As set out in paragraph 8 above. |

Recommendation

11. Council is recommended to agree the draft regulations set out at Appendix 3 (attached), with the addition of a requirement that a joint Local Development Scheme be submitted to the Secretary of State within 6 months of the order coming into effect.

Background Papers: the following background papers were used in the preparation of this report:

Report to the Council meeting, 31 January 2008 (Agenda item 8 refers)

Contact Officer: Keith Miles – Planning Policy Manager
Telephone: (01954) 713181
e-mail: keith.miles@scambs.gov.uk