

Cambridgeshire
County Council

CAMBRIDGE CITY FRINGES

ESTABLISHMENT OF A JOINT COMMITTEE TO FACILITATE JOINT WORKING IN RELATION TO PLAN MAKING

LOCAL AGREEMENT

Local Agreement - Principles

1. This Local Agreement to establish a Joint Committee under Section 29 of the Planning & Compulsory Purchase Act 2004 (“the Section 29 Committee”) is made on 9th day of September 2008 between
 - Cambridge City Council
 - South Cambridgeshire District Council
 - Cambridgeshire County Council(“the local authorities”).
2. The local authorities have decided to formalise their informal joint working arrangements for the preparation of cross-boundary Local Development Documents and other planning policy guidance.
3. To comply with Regulation 12 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000, the members of the Section 29 Committee will be appointed from the whole membership of the local authorities.
4. The Section 29 Committee will have responsibility for the preparation, submission and revision of the local development documents specified in the Local Development Scheme (including minerals and waste) which will be submitted to the Secretary of State in accordance with the Order made by the Secretary of

State. (The Order will include a provision requiring the Joint Committee to submit a Local Development Scheme to the Secretary of State). The Section 29 Committee will incorporate in its Local Development Scheme all those area-specific plans, including Area Action Plans and other Local Development Documents or planning policy guidance, which are to apply entirely within the designated area as described in paragraph 5 below. The proposed terms of reference are set out in Appendix 1. Any plans or policies applying, in whole or in part, to an area wider than the designated area will be prepared by the local authority for that area. Such area-wide plans and policy documents will apply both to the local authority's area and the part of the designated area which falls within that area, unless the local authority making the plan or policy specifically excludes it from applying to the designated area. Local Development Documents prepared by the Section 29 Committee will be required to be in conformity with the Core Strategies of the local authorities. Thus, District or County wide policies of the local authorities will apply within the designated area and the local development documents and other planning policy guidance prepared by the Section 29 Committee will add local policies and proposals specific to the designated area. The Joint Committee will be a consultee for all development plan documents prepared by the signatory authorities.

5. The designated area will be the cross-boundary areas of Cambridge City Council and South Cambridgeshire District Council covered by the:
 - (a) Cambridge East Area Action Plan;
 - (b) Cambridge North West Area Action Plan; and
 - (c) Cambridge Northern Fringe East Policy Area.

All as shown in Appendix 2.

6. The local authorities will keep under review the designated area and the local authorities having full membership thereof, and under the provisions of Section 30 of the Planning and Compulsory Purchase Act 2004 will make any new areas of cross-boundary plan-making the responsibility of the Section 29 Committee or remove any areas where cross-boundary plan-making has been completed as they unanimously agree in the interests of sound plan-making.

Membership of the Section 29 Committee

7. Each of the local authorities shall appoint nominated Members (being elected members of the Council of the relevant local authority) as members of the Section 29 Committee.

8. The membership of the Section 29 Committee will be:
 - Cambridge City Council 3 Councillors
 - South Cambridgeshire District Council 3 Councillors
 - Cambridgeshire County Council 3 Councillors
9. Each of the local authorities shall for each member of the Section 29 Committee appoint a named substitute who shall be an elected member of the appointing authority. Where a member of the Section 29 Committee notifies the Secretary to the Section 29 Committee that he or she is unable to attend a meeting of the Section 29 Committee then that member shall be deemed not to be a member of the Section 29 Committee for the whole of the meeting to which the notification relates and the named substitute shall be deemed to be a member of the Section 29 Committee for the whole of that meeting.
10. Any casual vacancy howsoever arising shall be filled by the local authority from which the vacancy arises by informing by notice each of the other local authorities.

Chairman and Vice-Chairman

11. Subject to paragraphs 12 and 13 below, the Section 29 Committee shall, at an Annual Meeting to be held in June of each year, appoint one of its voting members as Chairman and one of its voting members as Vice Chairman for the year ending with the next such Annual meeting.
12. The local authorities have agreed that the chair of the Section 29 Committee shall alternate on an annual basis between Cambridge City Council and South Cambridgeshire District Council.
13. Where the Chairman of the Committee is a member of Cambridge City Council the Vice Chairman shall be a member of South Cambridgeshire District Council and vice versa.
14. Any casual vacancy in the post of Chairman or Vice-Chairman shall be filled by the Section 29 Committee electing a voting member of the Committee to serve as Chairman, or, as the case may be, Vice Chairman until the next Annual Meeting of the Section 29 Committee and, so far as is possible any voting member so elected shall be a member of the same local authority as the immediately preceding Chairman or Vice Chairman.

Tenure of Office

15. Each member of the Section 29 Committee shall serve on the Section 29 Committee for as long as he or she is appointed to the Section 29 Committee by the relevant local authority but a member shall cease to be a member of the Section 29 Committee if he or she ceases to be a member of the local authority which appointed him or her or is disqualified or suspended from being a member of any of the local authorities.

Meetings and Proceedings

16. The Section 29 Committee shall meet as frequently as necessary to prepare and adopt Development Plan Documents, Supplementary Planning Documents and such other informal planning policy guidance as are set out in a Local Development Scheme agreed by the Section 29 Committee.
17. Meetings of the Section 29 Committee shall be held within the designated area or alternated between locations in Cambridge and South Cambridgeshire.
18. A meeting of the Section 29 Committee shall require a quorum of 6 members, including at least 2 members from each of the local authorities.
19. If the Chairman and Vice-Chairman are absent, a Chairman shall be appointed for the duration of the meeting by election by the members present.
20. Each member of the Section 29 Committee shall have one vote.
22. A named substitute who attends a whole meeting of the Section 29 Committee as a substitute for an absent member in accordance with paragraph 9 shall have full voting powers.
23. Subject to the provisions of any enactment, all questions coming or arising before the Section 29 Committee shall be decided by a majority of the members of the Section 29 Committee present and voting. Subject to the provisions of any enactment, in the case of an equality of votes the Chairman shall not exercise a casting vote.
24. The role of administering the Section 29 Committee shall be alternated annually between Cambridge City Council and South Cambridgeshire District Council.
25. Meetings shall be called by the administering authority, providing at least 5 clear days' notice to members of the Section 29 Committee. Notice and agenda papers will at the same time be made publicly available by posting on the local authorities' and the Section 29 Committee's websites.
26. Meetings of the Section 29 Committee will be open to the public except to the extent that they are excluded under paragraph 27.
27. The public will be excluded from a meeting of the Section 29 Committee during an item of business whenever it is likely that confidential information as defined in Section 100A(3) of the Local Government Act 1972 would be disclosed to them. The public may be excluded from a meeting of the Section 29 Committee during an item of business whenever it is likely that exempt information as defined in Section 100I of and Schedule 12A to the Local Government Act 1972 would be disclosed to them if in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

28. The Section 29 Committee will keep its procedures under review and will introduce new rules and/or procedures when necessary.

Co-opted Membership of the Joint Committee

29. The Section 29 Committee may invite other local authorities and organisations to be Co-opted Members of the Section 29 Committee.
30. Each of these bodies shall be entitled to appoint one person as a Co-opted Member of the Section 29 Committee.
31. Co-opted Members shall have no right to vote on questions coming or arising before the Section 29 Committee.
32. The Section 29 Committee shall have the right to exclude Co-opted Members from any meeting or part of a meeting from which the public is excluded.

Sub-Committees

33. The Section 29 Committee may appoint a Member Steering Group comprising the Chairman, Vice-Chairman and a representative of Cambridgeshire County Council for the purposes of providing advice to the officers on the Section 29 Committee's work and of more detailed examination of particular issues.
34. The Section 29 Committee may appoint sub-committees comprising members and Co-opted Members for the purpose of more detailed examination of particular issues.
35. The work and decisions of Sub-Committees shall be reported to the Section 29 Committee for information or approval as appropriate.

Staffing the work of the Section 29 Committee

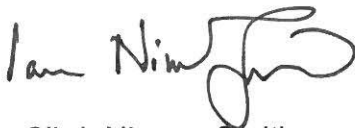
36. The Section 29 Committee will be operated on the basis of informal sharing of the administrative burden between Cambridge City Council and South Cambridgeshire District Council – alternate clerking and venues with a nominated officer team to liaise and ensure continuity. References in this Agreement to the Secretary to the Section 29 Committee shall be construed as references to the local authority responsible for the administrative arrangements in relation to any particular meeting of the Section 29 Committee.
37. The local authorities and any bodies invited to nominate Co-opted Members to the Section 29 Committee will each allocate staff resources to undertake the Section 29 Committee's work programme, as defined in the Joint Local Development Scheme and to respond to consultation on any matters related to the work programme. The level of staff provision will be identified having regard to the work programme of the Section 29 Committee and will be reviewed on an annual basis by the local authorities to ensure an equitable provision from the local authorities.

38. Existing planning and other relevant policy staff of the local authorities will be made available, in accordance with this Agreement, as necessary to enable the Section 29 Committee to discharge its functions. The Section 29 Committee may make arrangements with any of the authorities for the services of any officer of that local authority to be placed at the disposal of the Section 29 Committee for such period as may be agreed between the Section 29 Committee and that local authority. Joint technical working will be by electronic exchange of working documents, telephone and e-mail contact, and regular meetings. These working arrangements have previously been employed successfully for the preparation and adoption of Joint Area Action Plans and other cross-boundary plan-making but will be kept under review.
39. The Planning Policy Managers of the 2 District Councils will manage the Section 29 Committee's work programme and co-ordinate the resources made available by the local authorities and those bodies invited to nominate Co-opted Members. In the case on minerals and waste planning his function will be undertaken by an appropriate officer from the County Council.
40. Consultants may be retained by the Section 29 Committee to assist with its work programme where adequate staff resource is not available from the local authorities or where specialist skills are required.
41. Staff, accommodation and administrative costs will be borne by the local authorities from within existing and future budgets. Expenses will be defrayed by Cambridgeshire County Council with payments to be received from South Cambridgeshire District Council (equal to one third of the total) and from Cambridge City Council (equal to one third of the total). These costs and expenses will be reviewed each year by the Section 29 Committee and by the local authorities to ensure that adequate budget provision is made by the local authorities to meet the full cost of the Section 29 Committee's annual work programme. Additional contributions may be sought from the local delivery vehicle, Cambridgeshire Horizons, (for example to provide assistance with consultancy work) through arrangements outside this agreement.

Termination of the Local Agreement

42. In the event that any one of the local authorities requests the Secretary of State to revoke the order constituting the Section 29 Committee and the Secretary of State agrees to that request:
 - the powers of the Section 29 Committee will revert to the local authorities.
 - any retained consultancy assistance will be terminated

The local authorities formally request the Secretary of State to place on Order before Parliament to establish a Section 29 Committee for the purposes and terms set out in this local agreement. A draft Order is included at Appendix 3 of this agreement.



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Leader
Cambridge
City Council



Cllr R. Manning
Leader
South Cambridgeshire
District Council



Cllr J. Tuck
Leader
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