

APPENDIX B of Report to Cabinet

PROPOSED CHANGES TO TERMS OF REFERENCE FOR JOINT DEVELOPMENT CONTROL COMMITTEE CAMBRIDGE FRINGES: SHOWING CHANGES FROM DOCUMENT APPROVED IN 2007

1. Parties:

Cambridge City Council
Cambridgeshire County Council
South Cambridgeshire District Council
(‘the Councils’)

2. Status:

The Joint Development Control Committee is (‘the Committee’) is a joint committee ~~to be~~ formed by resolutions of the Councils pursuant to section 101(5), Local Government Act, 1972.

3. Membership:

6 Members appointed by Cambridge City Council
4 Members appointed by Cambridgeshire County Council
6 Members appointed by South Cambridgeshire District Council

4. Terms of reference:

- 4.1 The Committee’s remit is to discharge the functions (‘the functions’) set out in Appendix 1, the exercise of which have been delegated to the Committee by the parties, subject to the limitation in paragraph 4.2. ~~The functions delegated include the power of the Councils to determine planning applications by virtue of Regulation 3 of the Town and Country Planning General Regulations 1992.~~

- 4.2 The Committee shall ~~only~~ discharge the functions in respect of major developments¹ and related applications – falling wholly or substantially within the areas shown edged in blue on the plans forming Appendix ~~2~~ 3 and ancillary ~~applications—developments~~ relating to such Major Developments referred to it by the relevant Head of Planning of the Council issuing the consent for the Major Development in question. ~~‘Major development’ is defined by reference to Article 1 of the Town and Country Planning (General Development Procedure) Order 1995 as in force on 1 May 2007 or as subsequently amended or replaced.~~
- 4.3 The Committee may exercise the subsidiary powers authorised pursuant to section 111, Local Government Act 1972 in connection with the discharge of the functions.
- 4.4 The Committee may exercise the powers of delegation contained in section 101(2), Local Government Act 1972.
- 4.5 All members shall be entitled to vote on the following applications: Trumpington Meadows; Cambridge Northern Fringe East; Cambridge East; Northwest Cambridge including all of the NIAB site; Glebe Farm. Only the City and County members shall be entitled to vote on Clay Farm-Showground and Bell School.

5. Standing Orders

- 5.1 The Committee shall be governed by the Standing Orders set out in Appendix ~~3~~ 32, as amended from time to time.

6. Administration

- 6.1 The ~~Council Party~~ which is the local planning authority shall receive applications ~~relating to the functions~~ in the usual way and shall be responsible for all consequential administration. ive stages leading to and flowing from the exercise of the functions.

¹ A ~~M~~major development is defined by reference to Article 1 of the Town and Country Planning (General Development Procedure) Order 1995 as in force on 1 March 2010 or as subsequently amended or replaced and means development including any one or more of the following:

(a) the mining and working of minerals

~~(a)(b)~~ _____ waste development;

~~(b)(c)~~ _____ the provision of dwelling-houses where

(i) the number of dwelling-houses to be provided is 10 or more; or

(ii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within paragraph (c)(i);

~~(c)(d)~~ (e)(d) _____ the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; ~~[clarify for article 3s in relation to things like libraries which may be smaller size]~~ or

~~(d)(e)~~ (e)(e) _____ development carried out on a site having an area of 1 hectare or more.

~~(e)~~ Regulation 3 developments for all new facilities

6.2 Cambridge City Council's staff shall be responsible for all matters connected with the administration of the Committee, including the preparation and dispatch of agendas and securing premises at which the committee may meet. Decision notices shall be signed by the Director of Joint Planning.

6.3 Costs shall be shared in accordance with the Cost Sharing Protocol set out in Annex C to the Standing Orders.

Appendix 1

Functions ~~delegated to~~ of the Committee

1. To ~~The~~ exercise of each of the Councils' powers and duties in relation to development control on Major Developments, ancillary developments, related applications and requests and Reserved Matters applications ~~and ancillary developments including for the avoidance of doubt~~ but not limited to:

- i) the determination of planning applications by virtue of Regulation 3 of the Town and Country Planning General Regulations 1992.
- ii) the power to approve, authorise and direct the respective Councils to negotiate and enter in-to agreements regulating the development or use of land pursuant to S106 of the Town and Country Planning Act 1990, and related powers and to prepare for approval by each Council a scheme of delegation to Officers insofar as this has not been agreed prior to commencement of the Committee and thereafter to keep such scheme of delegation under review.

2. The review, change, amendment or modification of the scheme of delegation to Officers.

Extract from Appendix 2: Standing Order

Annex C: Costs Sharing Protocol

The ongoing ~~administrative~~ costs incurred in relation to the administration of the Committee, legal support and planning consultancy costs shall be borne initially from the joint planning budget administered through Cambridgeshire Horizons and thereafter in equal shares by the participating authorities. ~~These costs are assumed to include committee administration and legal support; planning consultancy costs.~~

Exceptional costs that arise in relation to, for example, appeals and legal proceedings will be borne:

i) ~~insofar as they cannot be met via~~ from the joint planning budget;

ii) where there is insufficient funds within the joint planning budget, then proportionately the costs shall be shared proportionally by the Councils which are entitled to vote on the matters which give rise to the costs.